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A

# BIOGRAPHICAL HISTORY

OF

## CLERMONT,

OR

## Livingston Manor,

BEFORE AND DURING THE WAR FOR INDEPENDENCE,  
WITH A SKETCH OF THE FIRST STEAM  
NAVIGATION OF FULTON AND  
LIVINGSTON.

BY

THOMAS STREATFEILD CLARKSON.

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CLERMONT, N. Y.;  
1869.

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*Sinannah J. L. Loh*

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## INTRODUCTION.

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A man having lived the greater portion of his life upon a part of the Livingston Manor, and a descendant of that noble old family, may indeed be pardoned if he shows a family pride, and writes about his ancestors, and although living in the vicinity of the noble blue Kaatskills,\* or Katsbergs, whose dark shadows fall over the once romantic haunts of Hendrick Hudson, and his crew of ghostly Dutchmen, and the more quiet retreat of Rip Van Winkle, when he enjoyed his long nap, out of the reach of Dame Van Winkle's tongue; and other localities of historic lore and legend, made immortal by that greatest of all American writers, IRVING, who thus gives us a lively picture of the crew of the "Half Moon" at their favorite game of nine-pins: "Some wore short doublets, others jerkins with long knives in their belts, and most of them had enormous breeches of similar style with that of the guides. Their visages, too, were peculiar; one had a large head, broad face and small piggyish eyes; the face of another seemed to consist entirely of a nose, and was surmounted by a white sugar-loaf hat set off with a little red cock's tail. They all had beards of various shapes and colors. There was one who seemed to be the commander. He was a stout old gentleman, with a weather-beaten countenance, he wore a lace doublet, broad belt, hanger and high-crowned hat and feather, and high heeled shoes with roses on them; what seemed particularly odd to Rip was, that though here evidently amusing themselves, yet they maintained the gravest faces, the most mysterious silence, and were withal the most mel-

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\*The origin of the name Catskill is as follows: The Indians called this range of hills On-ti-o-ra, signifying Mountains of the Sky. The Dutch called them Kaatsbergs, or Cat Mountains, from the number of panthers or wild cats abounding there. The word Catskill is partly English and partly Dutch—Kaatskill Dutch, Cats creek English.

ancholy party of pleasure he had ever witnessed. Nothing interrupted the stillness of the scene but the noise of the balls, which, whenever they were rolled echoed along the mountains like rumbling peals of thunder; and the Dutch inhabitants near the Katsbergs, even to this day, never hear a thunder storm of a summer afternoon about the Katsbergs but they say Hendrick Hudson and his crew are at their game of nine-pins." But a man of energy may shake off the dust of centuries, and lethargy, and awake to action, when he undertakes to write of his ancestors, particularly so when they were great and good, and whose lives have been for the greater part given for the national honor and advancement of their country. For the good that men do live after them.

When we read the Declaration of Independence we there see the name of LIVINGSTON; also, when we read of the introduction of the first Steam Navigation upon the Hudson River, we see the name of LIVINGSTON. The name of LIVINGSTON is connected with the inauguration of the first President of the United States, is attached to the Federal Constitution; it is honorably associated with our Foreign diplomacy, our Domestic politics, and our Judicial history; and there has been probably no time in our annals when its respectability has not been supported by some conspicuous member of this illustrious family; and last but not least, when we read of the Christian's life, and death, we can then take examples, as foot-prints for us to follow, of many that have passed away and gone before us to that undiscovered country, many of the name of LIVINGSTON, who have left records illumined by the light of other days, which grow brighter and brighter as years roll on. For, as the poet says:

"Life is real, life is earnest,  
And the grave is not its goal;  
Dust thou art, to dust returnest,  
Was not spoken of the soul.  
Art is long, and time is fleeting,  
And our hearts, though stout and brave,  
Still like muffled drums are beating  
Funeral marches to the grave.



Lives of great men all remind us,  
 We can make our lives sublime,  
 And departing leave behind us  
 Footprints on the sands of time ;  
 Footprints that perhaps another,  
 Sailing o'er life's solemn main,  
 A forlorn and shipwrecked brother,  
 Seeing shall take heart again."

Both the poet and the novelist have given romantic interest to the revolutionary era. My own ambition is to rescue from oblivion records for the use of the future historian of this State. Like the wandering Arab, who whilst passing lays a stone upon his father's grave, or cairn, so I bring my contribution in the shape of this collection of LIVINGSTONES, which I hope may be always strongly cemented in our hearts and affections, as well as in the arch of our Union. Our great WASHINGTON being the key-stone, and this grand temple of Liberty having been erected upon so sure a foundation, cannot but stand to become the pride of all Americans, as well as the admiration of all the nations of the earth ; for where freedom and equality reign, tyrants tremble.

A person writing a book at this period concerning the LIVINGSTON MANOR and family of the revolutionary era, and prior to it, has to be in a great measure guided by what has been related to him as facts, and by depending upon or copying freely from authors that have written upon this subject. It has been a work of pleasure, but not an easy task to gather the information contained in the following pages, and I now return thanks and crave pardon from the numerous authors for the liberty I have taken, in making extracts from their works. I am greatly indebted to the authors of the following works :

- "Life of John Jay, by his Son, William Jay."
- "Life of General Montgomery, by Gen'l Armstrong."
- "Life of Robert Fulton, by Renwick."
- "Life of Jay and Hamilton, by Renwick."
- "Old New York, by John W. Francis."
- "Queens of American Society, Mrs. Ellet."
- "Women of the Revolution, Mrs. Ellet."

- "History of Wonderful Inventions," London.
- "Life of William Livingston, T. Sedgwick."
- "Panorama of the Hudson River, Wado & Croome."
- "Miller's Guide to the Hudson River."
- "Lossing's Book of the Hudson."
- "Lossing's Field Book of the Revolution."
- "Headley's Washington and his Generals."
- "Parton's Life of Aaron Burr."
- "Lossing's 1776, or War of Independence."
- "Chambers' Papers for the People."
- "Life of Washington by Irving."
- "Life of Edward Livingston, by Hunt."
- "Downing's Rural Essays."
- "Campbell's Border Warfare of New York."
- "Jefferson's Papers, 1834."
- "Knapp's American Biography, 1833."
- "Journal of N. Y. Convention of 1776-7."
- "Life of Gouvenour Morris."
- "Robertson's History of Scotland."
- "Aikman's Buchanan."
- "Chalmers's History."
- "Mrs. Jameson's Celebrated Female Sovereigns."
- "The Livingston Family Record."

Also my thanks are due to Mr. CLERMONT LIVINGSTON, of the old Manor House, for the use of the old library, in which I found many works of value.

I have not dwelt long on the history of political parties, or the politics of the period of which I have written, but have confined myself to stating facts. As politics, however great the interest it may have for men, drags rather heavily upon the female reader, if given in more than homœopathic doses, in a work of this character, I have endeavored to keep up as much as possible the general interest. Since the good old times have passed away of which I have herein chronicled, another revolution or civil war has convulsed our country, compared to which the battles of the revolution were mere skirmishes, and although all the old Heroes and Patriots of '76 have been laid in their last resting place, others following in their footsteps joined hand in hand in the ranks of the Union, and utterly routed both rebels and their sympathisers, *the Tories of this last war*. But thanks be to God, that he gave us the great immortal LINCOLN, our second WASHINGTON, to stand



firmly at the helm, and to steer the Ship of State out of the troubled waters of civil war unto more placid ones, even unto the Haven of Peace. And let every true American pray "That the Lord our God be with us as He was with *our Fathers*; let Him not leave us nor forsake us;" and in the words of our sainted LINCOLN say: "We here highly resolve that these *honoured dead shall not have died in vain*; that the nation shall under God have a new birth of Freedom, and that the government of the people, by the people, and for the people, shall not perish from the Earth.'

CHIDDINGSTONE, N. Y., June 1st, 1869.



## TO THE HUDSON.

"I dream of thee : fairest of fairy streams,  
Sweet Hudson. Float we on thy Summer breast.  
Who views thy enchanted windings, ever deems  
Thy banks of mortal shores the loveliest.  
Hail to thy shelving slopes, with verdure dressed,  
Bright break thy waves the varied beach upon,  
Soft rise thy hills, by amorous clouds caressed,  
Clear flow thy waters, laughing in the sun.  
Would thro' such peaceful scenes my life might gently run.

And lo! the Catskills print the distant sky,  
And o'er their airy tops the faint clouds driven,  
So softly blending that the cheated eye  
Forgets or which is Earth or which is Heaven.  
Sometimes like thunder clouds they shade the even,  
"Till as you nearer draw, each wooded height  
Puts off the azure hues by distance given,  
And slowly break upon the enamored sight,  
Ravine, crag, field and wood, in colors true and bright."



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## CHAPTER I.

### THE LIVINGSTONE FAMILY IN SCOTLAND.

Before commencing with the history of the first settlement of the Livingstons in America, I thought it would be but proper to give a short sketch of the origin of this old family, and can find no better account, or as well told as that, by Mr. Theodore Sedgwick, in his *Life of Governor William Livingston, of New Jersey*. I have therefore extracted most of the following, in this chapter, from that work.

The name of Livingston as now written is differently spelt in ancient documents and by different authors, viz.: Livingstone, Levingstone, Livingstone. This ancient and distinguished family is said to derive its origin from an Hungarian gentleman of the name of Livingius, (*vide* Anderson's *Genealogies*), who accompanied Margaret, the sister of Edgar Atheling, and wife of King Malcolm Canmore, from his native country to Scotland, about the period of the Norman Conquest in 1068. In the reign of David the First of Scotland, says a tradition which seems not to pay a scrupulous regard to the usual duration of human existence, this same individual received a grant of lands in West Lothian, which was created a barony and named after the proprietor. This estate was transmitted through his descendants for nearly four hundred years, when in the reign of James IV, (1488-1513) Bartholomew Livingston dying without issue, the direct line became extinct ; a

collateral branch had however, in the mean time, acquired wealth, and consequence, and it is from this that the Earls of Linlithgow, in Scotland, and the Livingstons of America are descended.

In the reign of David II, (1329–1370) Sir William Livingston Kt., marrying Christian, daughter and heir to Patrick de Callendar, Lord of Callendar, in the County of Stirling, received that barony with her. His grandson John had, besides his eldest son Alexander, two others, Robert, the ancestor of the Earls of Newburgh; a title illustrated by “Granville’s Mira,” (see “Mrs. Jameson’s Loves of the Poets,”) and William, progenitor of the viscounts of Kilsyth. The article in “Nicol’s British Compendium,” (2d Ed. London 1725,) from which this account is so far drawn, is got up with a considerable show of accuracy, and perhaps compiled from the traditions, communicated to the editor by some member of the family. History steps in to lend, descending from this period, her less doubtful aid. Sir Alexander Livingstone, of Callendar, just mentioned, was in 1437, on the death of James I, appointed by the estates of the Kingdom joint regent with Crichton, during the minority of James II; he not long after (*vide* Aikman’s Buchanan II, 117,) yielded to the formidable power of the young Earl of Douglas, his property was confiscated, (but subsequently restored,) and his son brought to the block. His other son, James, who succeeded his father in the barony of Callendar, was created Lord Livingston. He died in 1467.

The lordship of Livingston appears to have been one of the most important baronies. In the list of members of the Scottish Parliament for the year 1560, I find the name of Livingston, and this is the parliament which upon petition admitted the lesser barons to the privilege of voting, which they had not before enjoyed, (Robertson’s History app.) William, the great-grandson of the last mentioned James, and fourth Lord Livingston, married Agnes, daughter of Sir Patrick Hepburn, of Waughtenn, or Patrick Lord Hales, (perhaps the same individual is meant by these appellations,) and from him the Livingstons of this country are descended,



through his son Robert, who was slain at the battle of Pinkiefield. Alexander, his eldest son, succeeded to the title, and it is his daughter who was one of the "four Maries" that accompanied the Scottish Queen to the French Court. (*Vide* Chalmers' History and Mrs. Jameson's Celebrated Female Sov's.)

"Last night the Queen had four Maries,  
To-night she'll hae but three,  
There was Mary Seaton, and Mary Beaton  
And Mary Livingstone, and me."

In the person of Alexander, the seventh Lord, the barony was exchanged for an Earldom, he being in 1600 created by James VI, Earl of Linlithgow. The title in full ran thus: "Earl of Linlithgow, Lord Livingstone, of Almont, hereditary keeper of the King's Castle at Linlithgow, hereditary Bailiff of the Bailiewick, there belonging to the Crown, hereditary Sheriff of the County of Stirling, and hereditary Governor of Blackness."

The second son of the first Earl of Linlithgow was created Earl of Callendar, which title finally fell into the former, in the person of its last possessor. The Earldom of Linlithgow remained in the family for more than a century, and was transmitted through five descendants. They distinguished themselves by their grateful attachment to the house of Stuart, from whom they had derived their honors; they shared their dangers during the civil wars, and were rewarded with offices of dignity and consequence, when the times permitted it. They appear to have been generally in the possession of some considerable civil or military post, and the name repeatedly occurs on the list of privy council.

The head of the family was in arms with Dundee, in 1688-9, and the devotion of Anne, the daughter of the last Earl, to the same cause, resembles in its romantic details the events of an earlier date. She is said to have brought over her husband, the unfortunate Earl of Kilmarnock, to support the interests of the Pretender, and to have gained the battle of Falkirk, in 1746, for her party, by using the influence of her wit and beauty to detain

Hawley at Callendar House until too late to take the command of his troops. In the year 1715, James, last Earl of Linlithgow, and Callendar, who in 1713 was chosen one of the peers of the United Kingdom, true to his hereditary faith, joined the Earl of Mar. On the failure of that nobleman's enterprise, his title and estates were forfeited, together with their attendant rights and privileges. This Earldom has not, like many of the Scottish peerages, been restored. The present heir declines, it is said, the barren and expensive honor.

We now return to William, the fourth Lord Livingstone. His son Robert, who fell at the battle of Pinkiefield in 1547 is, as has been stated, the reputed ancestor of the family in America. Here occurs one of those tantalizing difficulties of so common occurrence in tracing pedigrees. By one statement this Robert is made the grandfather, and by another the great-grandfather of John Livingston, the parent of the first emigrant of the name, to America. Be this important question settled as it may, and it seems probable that the second supposition is nearer the truth—the individuals intervening between Robert and John appear to have been ministers of the Church of Scotland, and to have left no more conspicuous memorial of the exercise of their sacred functions, than may be found in their parish records. With John Livingston however the case is different. He appears to have possessed both power of intellect, and vigor of resolution, and his name ranks high in the annals of the Scottish Church. I will here introduce a very curious letter written by a son of John Livingston of Ancram. This letter was found by the late General Henry Livingston, among some old papers belonging to the family at Ancram, Columbia County, N. Y., and is printed from a copy made in 1811 :

EDINBURGH, 13 December, 1698.

“DEAR BROTHER :

I have yours of the 20th of September last, from New York ; it came to hand with the printed narrative of the five Indian Nations then treating with the Earl of Bellomont, your Governor, under

cover of Mr. Hacksham the 28th of November, for which I am much obliged to you. It was in my last, I sent to Mr. Hacksham an attestation under the hand and seal of our Magistrate, of your being a native of this country, but had no account from him what use he had made of it. I did then write him yt I purposed to procure your coat of arms, and the Lyon Hercuels warrant, and your birth brief, and desyred to know, if he had effects of yours, yt I might draw for about 7 or 8 l. that I found it would cost; but had no answer, so have forborne it hitherto, but have prepared it so far that I find you are the son of Mr. John, whose father was Mr. Alexander; and Mr. Alexander, his father was Robert, who was killed at Pinkiefield in 1547, and was brother german to Alexander Lord Livingston; their father was William the fourth Lord Livingston, and the eighth of the house of Callendar; he was married to ——— Hepburn daughter of Sir Patrick Hepburn of Waughtenn; So that your proper coat to be given you is this enclosed which is thus emblazoned viz. quarterly 1st and 4th Argent, three gilliflowers Gules, slipped proper within a double tressure umber florevest, the name of Livingston 2d quartered first and last Gules, a chifron Argent, a role between two lyons counter. rampant of the field, 2d and 3d Argent three martletts Gules, the name of Hepburn of Waughtenn, 3d quarter Sable a bend between six billets, or the name of Callendar; your liveries is green faced up wh whytt and red, green and whytt passments. I would cause cutt you a seal with this coat-of-arms, having one James Clark, a very honest man, who is graver to our mint-house here, and the most dexterous in that art, but could not get a steel block to cut upon. There is great alterations among us. My sister Jeanet dyed in August 1696; our brother-in-law Mr. Russell came home in August 1697, and was very sicklie; he dyed in November after without leaving any testament of his will, so that his only son James, is left as low as any of his daughters; two of them were married in his own tyme, but neither with his nor my sister's good liking; but they refused to submit, and accordingly were but meanly provided; the three sisters yt were yet unmarried did

choose James Dimlip and me Curators, but have not taken our counsell upon their marriages, their great tochers have made them a prey. He left towards ten thousand pounds stirling but in such confusion yt there will be little credit by it. We shall writt more at length. This I send wh some letters from my brother direct to Mr. Hacksham. My entire love to your second self and your dear children, and to nephew Robert, tell him to writt to me.

I am your loving and most affectionate brother,

WILL. LIVINGSTON.

I have written to a friend in Linlithgow and to David Jameson, and spoke in full to send attestations of what you desyre, over to the people you direct, and expres thereof to yourself."

## CHAPTER II.

## THE LIVINGSTONS IN SCOTLAND AND AMERICA, CONTINUED.

On the beautiful river, Hudson, opposite the lofty Kaatskills, and in the midst of scenery unsurpassed by any in Europe, even upon the Rhine, was situated a fine estate belonging to Robert Livingston, the grandfather of the late Chancellor Livingston. He was the youngest son of Robert, the first Lord of the Manor, (which contained about one hundred and sixty thousand acres,) and a grandson of John Livingston, a celebrated preacher in the Scottish Church.

This John Livingston, or Mess John, as he was called in the ballads of those days, was great-grandson to the Robert that we read of in the previous Chapter, who was killed in the battle of Pinkiefield in 1547, son of the Earl of Linlithgow. Mess John was appointed a Commissioner, with others commissioned by Parliament, to negotiate with Charles II, for the terms of his restoration to power.

The story has been often told, and now the same old story will be told again, of this young minister preaching to a large congregation in the open air. He lost his notes, and from an overlooking hill he beheld the multitude awaiting his coming to address them; his heart sank within him, and he dropped upon his knees in prayer for guidance; his prayers were answered, (as the story or tradition runs): "Have I ever been a barren wilderness to thee,"



He got up, walked to the appointed spot where the multitude awaited him, and preached with so much force that three hundred of his hearers were converted at the time by his eloquence.

He was afterwards persecuted on account of nonconformity, and many of his hearers and himself took passage for America. They were nearly shipwrecked, and he set apart three days for fasting and prayer, and resolved if the storm did not abate within that given time they would return to Scotland. The time having expired and the storm not abating, they put about the vessel and sailed for the home they had left. He was afterwards exiled to Rotterdam, where his son learned the Dutch language.

His son Robert was born on December 13th, 1634, at Aneram, in Teviotdale, Roxburghshire, Scotland. He was ambitious, shrewd, acquisitive, sturdy and bold. His whole career was a persistent illustration of the motto upon the scroll of his ancestors' coat of arms, "Si je Puis." He emigrated to America in 1674, and married about 1683, Alida, widow of the Reverend, sometimes called Patroon, Nicholas Van Rensselaer, and daughter of Philip Pieterse Schuyler. We find him in 1676, in responsible employment at Albany, under the Colonial administration, and in 1686, established by Governor Dongan in possession of the territorial manor of Livingston, on the Hudson, acquired by purchase of the Indians, which large tracts were all incorporated into Livingston Manor.

Albany was then a Dutch Village of the old Knickerbockers. I will here give a curious old letter of Robert Livingston's, at Albany, to the authorities of the city of Albany :

*By ye Mayor, Aldermen and Commonalty of ye city of Albany,  
and ye Justice of ye county aforesaid :*

WHEREAS, The selling and giving of strong drinks to ye Indians, at this present juncture, is founde by experience extreme dangerous insomuch, yt diverse inhabitants at Schinnechtady, and elsewhere, have made their complaint, that there is no living if ye Indian be not kept from drinke, we do therefore hereby Strikly

Prohibit and forbid, in ye name of King William & Queen Mary, yt no Inhabitants of ye city and county of Albany, doe sell or give any Rum, Brandy, Strong Liquer or Beer, to any Indian, or Indians, upon any pretence whatsoever, upon ye Penalty of Two months imprisonment, without Baile or mainprise, and moreover a fine of five pounds toties quoties, ye proofs hereof to be made, as is inserted in ye Proclamation, Prohibiting ye selling of strong drink, dated ye 21st day of May, 1689, which is by proof, or Purgation, by oath, always provided, yt it shall, and may be in ye Power, of ye Mayor, Aldermen, and Commonalty of ye sd city, if they see cause to give any small quantity of rum to any Sachems who come here about public bussiness, any prohibition above sd in any manner notwithstanding,—given att ye City Hall of Albany ye 12th day of September, 1689. pord

“ROBERT LIVINGSTON.”

That the Mayor and Commonalty of Albany assisted Robert Livingston in his work, will be seen from the following order also found in (Dawson's Historical Magazine.)

*At a Meeting of ye Mayor, Aldermen, and Commonalty, of ye city of Albany, and ye Military Officers of ye same ye 29th day of June, 1689 :*

“WHEREAS, complaint is made to us, ye Mayor, Aldermen, and Commonalty, assisted with ye Military Officers of ye citty of Albany, yt ye Collector is Denied ye liberty, to gage ye rum, yt is brought up from N. York, according to ye law and former practice of this Province, Pretending that there is no authority for ye same. The said Mayor, Aldermen, and Commonalty, and Military Officers, are unanimously resolved to maintain ye sd Excises, in ye self same vigour and Power, as formerly, for ye use of their Majsts now upon ye Throne, to be accomptable to such governor, or officers, as their Majts shall be Pleased to send to Rule over us. We, ye Mayor, Aldermen, Commonalty, and Military Officers, have therefore Thought fit unanimously to order and require ye high Sheriff and Constables of this city, to be aiding and assisting

to Robt. Livingston, Col., in carrying ye sd Rum to be gaged, and all ye casks to viewed, yt is now come out of ye sloop of Peter Bogardus, which is suspected to be Rum, instead of Molasses, and to enter into ye houses & cellers of any Inhabitants of this city, where any of said casks are Lodged, and if any person shall Resist you by force, that you then take special notice who they are that resist, that the may be called to acct. for their contempt in Due time, in doing where—this shall be yr sufficient Warrant. Given under our hands and seales in Albany, ye 29th day of June, 1689.

“PR. SCHUYLER,  
“JOHN WENDELL.”

In the autumn of 1694, Robert Livingston, thinking it necessary to go to England, to advance his interests at his former home in the old country, before leaving, resigned the office which he held at Albany, and then sailed on his destination. If we may credit the family tradition, his voyage was disastrous; he was shipwrecked on the coast of Portugal, and compelled to cross Spain and France by land. This anecdote is in some measure corroborated by the change in the Livingston coat-of-arms, which have, so far back as they can be traced in this country, borne for crest, a demi-savage; and, it is said, that the alteration was made by him, in commemoration of this event. A ship in distress, in lieu of the original demi-savage, still borne by the family in Scotland, and again replaced by the present members of the family in this country. In allusion to this incident, it is said that he changed the motto also, adopting, instead of that of the Scottish family, “Si je Puis,” the motto “Spero Meliora.”

Governor William Livingston, of New Jersey, writes thus to Col. Livingston, in Holland, June 10th, 1785:

“My Grandfather (Robert,) on the occasion of his being cast away on the coast of Portugal, altered the crest and motto of the family arms, the former into a Ship in an adverse wind, the latter into Spero Meliora. These have since been retained by all the



family except myself, who not being able, without ingratitude to Providence, to wish for more than I had, changed the former into a Ship under full sail, and the latter into *Aut Mors Vita decora*."

The patent of the Manor and Lordship of Livingston, granted to Robert, bears date the 22d of July, 1685, and comprised from one hundred and twenty thousand, to one hundred and sixty thousand acres on the Hudson River. In the year 1715 the grant of the Livingston Manor was confirmed by the royal authority, and the additional privileges of electing a representative to the general assembly of the colony, and two constables, were conferred upon the tenants. The advantage in effect resulted to their Lord; and this Manor until the revolution, belonged strictly to that pernicious class of institutions, close boroughs, which gave way with instantly before the equal influences of Republicanism; but which from the more congenial soil of England, half a century has hardly extirpated.

Of the Manors created in the Province of New York, the principal of which were those of Rensselaer, Livingston, Cortlandt, Philipsburg and Beekman, that of Livingston was, with the exception of the first, the largest, though not comparatively the richest or most valuable. I have noted the number of acres it originally comprised. It commenced about five miles south of the city of Hudson, (or where it now is,) extending twelve miles on the Hudson River, and from that River easterly to the State line between New York and Massachusetts, and widening, as it receded from the river, so as to embrace not far from twenty miles on the boundary of the latter colony. Five or six thousand acres were taken from it as a settlement for the Palatines, who came out with Gov. Hunter in 1710, and was called Germantown, and so called to this day. This purchase was made by the Crown, for the sum of two hundred pounds sterling, which if it may be considered as an average, though as the result of a government transaction it was probably a high one, gives the whole Manor a value of between twenty-five and thirty thousand dollars. This is to be

looked upon however as a nominal estimate, for even a generation after this, the dower of the widow of Philip, the second proprietor in this extensive estate, is said to have been but £90 currency per annum, or about \$280. Governor Livingston, speaking of it in a letter to the son of the last proprietor, dated November 10th, 1755, says :

“Without a large personal estate, and their own uncommon industry and capacity for business, instead of making out of their extensive tract of land a fortune for their children, it would have proved both to you and my Father but a competent maintenance.”

Thirteen thousand acres or thereabouts of land were set off by the last will of Robert, the first lord, to form the Lower *Manor of Clermont*, which was given to his son Robert, the grandfather of the late Chancellor Livingston.

The bulk of this extensive estate, properly, was devised entail, and transmitted through the two next generations, in the hands of the eldest son and grandson, Philip and Robert. On the death of the latter, the estate being divided, the shares of his four sons were understood to be about twenty-eight thousand acres, some further deductions having been made by the running of the line between this State and Massachusetts. The first conveyance of land to Robert Livingston was dated July 12th, 1683, and was for two thousand acres on Roelof Jansen's Kill. The deed was executed by two Indians and two squaws. The consideration was—the purchasers promise to pay to the said owners the following goods, in five day's time, to wit :

Three hundred guilders in zewant, eight blankets and two child's blankets, five and twenty ells of duffels, and four garments of strouds, ten large shirts and ten small ditto, ten pairs of large stockings and ten small pairs, six guns, fifty pounds of powder, fifty staves of lead, four caps, ten kettles, ten axes, ten adzes, two pounds of paint, twenty little scissors, twenty little looking glasses, one hundred fish-hooks, awls and nails of each one hundred, four

rolls of tobacco, one hundred pipes, ten bottles, three kegs of rum, one barrel of strong beer, twenty knives, four stroud coats and two duffel coats, and four tin kettles."

Such were the agreements made in these good old times when land was cheap and taxes "nowhere."

Philip Livingston, son of Robert, who succeeded to the Manorial estate, was born at Albany in 1686, (his father died in 1728,) and prominent in the history of the colony, married Catherine Van Brugh, daughter of Peter Van Brugh, of Albany, of the Dutch family of Van Brugge, of whom was Carl Van Brugge, Lientenant Governor under Peter Stuyvesant in 1648. Among the children by this marriage were Robert, who succeeded to the Manor as the last lord, the revolution breaking the entail; Peter Van Brugh, Merchant of New York, who married Mary Alexander, sister of Lord Stirling, Peter and his wife adhering to the crown during the Revolutionary War; Philip, Signer of the Declaration of Independence, John, also a Merchant of New York, William, Governor of New Jersey; Sarah, wife of Alexander Lord Stirling; Alida, who married first, Henry Hawsen, and secondly Martin Hoffman; Catherine, who married John L. Laurence, and lastly, Henry. I will give a short sketch of Governor William Livingston in the concluding part of this work, but will first take the descendants of Robert, and of those who have lived in the old Clermont Manor House.

Robert Livingston, after receiving his estate from his father, built a large Stone House at Clermont, which he afterwards, in his old age, gave to his son, Judge Robert R. Livingston, in whose family he lived beloved until his death, which took place in the Spring of 1775, just after the eventful battle of Lexington. Says Mrs. Olin: "He was a man of extraordinary attainments for his time, and distinguished for his early prophecies of American Independence, the fulfillment of which he was not permitted to see. 'I shall not see America independent,' were the remarkable words he used before the war, and Robert, he said to his son, 'you will not.'

'Montgomery,' speaking to General Montgomery who had married his granddaughter, 'you may.' 'Robert,' addressing his grandson, afterwards Chancellor Livingston, 'you will.'" Prophetic words that had a literal fulfillment.

Two very interesting sketches of him have been written by his grandson, Edward Livingston, and his granddaughter, Mrs. General Montgomery. Edward Livingston thus describes him, at the advanced age of eighty-four: "His figure was tall and somewhat bent, but not emaciated by age, which had marked, but not disfigured, a face once remarkable for its regular beauty of feature, and still beaming with the benevolence, and intelligence, that had always illuminated it. He marked the epoch at which he retired from the world, by preserving its costume,—the flowing well powdered wig, the bright brown coat, with large cuffs, and square skirts, the cut velvet waistcoat, with ample flaps, and the breeches scarcely covering the knee, the silk stockings, rolled over them with embroidered clocks, and shining squared-toed shoes, fastened near the ancle with small embossed gold buckles. These were retained in his service, not to effect a singularity, but because he thought it ridiculous, at his time of life, to allow the quick succession of fashion." Mrs. Montgomery thus writes of him: "He always rose at five in the morning and read without ceasing until near breakfast. The year before his death he learned the German tongue and spoke it fluently. On the breaking out of the war, he was in raptures. In beginning with the Bostonians, he said, they had taken the bull by the horns. His sanguine temper made him expect with confidence our independence. He seemed to begin life again, his eye had all the fire of youth, and I verily believe the battle of Bunker Hill, of which such a disastrous report was made, was his death. He took to his bed immediately, lay a week without pain, and died."

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## CHAPTER III.

JUDGE ROBERT R. LIVINGSTON.

I forgot to mention in a previous chapter, as I should have done, that the Lower Manor of Clermont was given to Robert Livingston, by his father, as a reward for having discovered and frustrated a plot, which had been formed among the Indians, for the massacre of all the white inhabitants of the Province. Judge Robert R. Livingston, the son of the first proprietor of Clermont, was born in 1719, and married in 1742 to Margaret Beekman, daughter of Col. Henry Beekman, and granddaughter, on her mother's side, of Robert, nephew of the first proprietor of the Livingston Manor, and Margareta Schuyler. The children of Judge Livingston, were four sons and six daughters. One daughter died in infancy. The names of the children were as follows:

Janet, born 1743, and married to the celebrated Richard Montgomery, who fell at Quebec. Robert R., first Chancellor of State of New York, born 1746. Margaret, born in 1748, married Dr. Tillotson, of Rhinebeck, who was one of the early Secretaries of the State of New York. Henry B., born in 1750, a Colonel in the army of the Revolution. Catharine, born in 1752, married the Rev. Freeborn Garrettson, of Rhinebeck, formerly of Maryland, and one of the early Pioneers of the Methodist Church in the United States. John R., born in 1755. Gertrude, born in 1757, married the Politician, General, and Governor Morgan Lewis. Joanna,

born in 1759, married the great Politician, Peter R. Livingston. Alida, born in 1761, married General John Armstrong, of the Revolution. Edward, born in 1764, one of America's most distinguished men.

The father of this large family, Judge Livingston, was a man of solid judgment, extensive knowledge, and high christian character. His wife has left a pen and ink sketch of him. "At the age of eighteen," she writes, "I was made the happy wife of Robert R. Livingston; to say that my best friend was an agreeable man, would but ill express a character that shone among the brightest; his finely cultivated understanding, his just and wise decisions as a judge, a patriot ever attentive to the interests of his country, and a discerning politician. These were all brightened by an unequalled sweetness of disposition, and a piety that gilded every action of his life." His daughter, Catharine, remembers him with solemn and devout aspect, pacing up and down the walks, at Clermont. He lost his position as Judge of the King's Bench, on account of his sympathy with the popular side. He writes to his wife about this time thus :

"This morning, I entertained myself walking and reading among the blossoms, which was as pleasant and agreeable as any thing can be at this distance from you, and I hope will not be unprofitable to me hereafter. I put up my prayers often, and in an ardent manner to God, and beseech him with tears, if it be his will, to put me in some way of being useful to myself, my dear family, of which you are the dearest to me, and to my fellow creatures. If an alteration in my circumstances be best for me, I humbly hope I shall not petition in vain. In the meantime, I hope he will enable me to practice those duties which are suited to my circumstances, patience, resignation to the divine will, piety towards God, duty to my parents, a tender and sincere love to my wife, and a fatherly affection for my little ones. Thus musing I spent the forenoon of this day, and this afternoon I have sat down to converse with you. If you find me either too serious, or too dull,



remember you have taken me for better or worse. I for my part have pleased myself in conversing with her who is my greatest happiness on earth."

His wife was an heiress to a very large landed estate. Her grandmother was Margaret Schuyler, called by the Indians of the time, "the great *Quidor*." One of the squaws named her son Edward Livingston, after Mrs. Livingston's youngest son, when she had returned from a visit to the old Manor House. Mrs. Livingston was a stately lady, always addressed as the Madam by her tenantry, and a good christian. The following letter will be found interesting in its details of a long journey from New York to Clermont, then counted by days, and now performed in between three and four hours, written by Mrs. Livingston to the Judge, her husband:

CLERMONT, July 12th, 1766.

"With joy I embrace this opportunity of conversing with you, by the Manor Sloop, since it is the only means now left of conveying our sentiments to each other. We set out from New York in so great a hurry that I could not give myself the pleasure of seeing or the pain of parting with you. We had a very pleasant ride the first day, which brought us to Croton. Here we were detained until the next day by rain, but it is impossible to describe this day's journey; the crags, precipices and mountains that we had a view of, together with the excessive badness of the roads, that were laid bare by streams of water taking their course through the midst, which made it very disagreeable to me. We could go no further that day than Warren's, who lives in the midst of the Highlands, but the next day made up for the fatigue of this. We had a most charming journey the remaining part of the way. We breakfasted at Van Wiek's, who lives at Fishkill, dined at Poughkeepsie, and slept at Rhinebeck, where we came at 6 o'clock. The next morning, which was Sunday, we came home at 9 o'clock, and found all my family in good health and spirits. As for myself, I was not at all fatigued, thanks be to God for all his mercies; but,

whatever was the reason, the day was not to my soul as my New York Sabbaths. My heart was in your solemn assemblies. Ah, thought I, for one of those precious hours I have been favored with there. Everything about me is very agreeable. The country at this season is delightful, and everything calls aloud, remember the goodness of God, to the most unworthy of his creatures. Ah, my dear! religion is the one thing needful; this will support us under every trial, even the last closing scene of life. It will make us quit all our near and dear connexions with joy, and cheerfully resign them into the same all Gracious hand that hath supported and led us in so wonderful a manner unto Himself." \* \* \* \*

The following is one of Judge Livingston's letters, written to his wife in July, 1755, thirteen years after their marriage, and when she had borne him seven children :

"My last letter was written in a melancholy mood. To you I am not used to disguise my thoughts. Indeed I have for a long time been generally sad, except when your presence, and idea, enlivens my spirits. Think, then, with how much pleasure I received your favors of the 30th of June and 3d inst. This I did not do until last Sunday, and I have been happy ever since. You are the cordial drop, with which Heaven has graciously thought fit to sweeten my cup. This makes me taste of happiness, in the midst of disappointments. My imagination paints you, with all your loveliness, with all the charms my soul has for so many years doated on, with all the sweet endearments past, and those which I flatter myself I shall still experience. I may truly say, I have not a pleasant thought (abstracted from those of an hereafter) with which your idea is not connected, and even those of future happiness give me a prospect of a closer union with you. I have not agreed with the Benthuysens yet; and what is unaccountable, they say that my offers are not fair. I fear that I must go to law with them at last, but I shall try once more to get their final answer. I expect to-morrow the pleasure of the last letter from you, while I am absent. Let the next, after your receipt of this, be to

my father, for I hope to be on my voyage to you next Saturday. To-morrow I intend to go and see your father, to consult with him. Your letters give me some hope of Bedloe's, which would be a very agreeable thing indeed. We must depend on Providence, and hope for the best. May God in his mercy preserve you and grant us a happy meeting, for without you I am nothing.

"Yours, most affectionately,

"ROBERT R. LIVINGSTON.

"P. S.—Remember me to all the little ones Providence has committed to our charge, and kiss them for me. Wednesday the 9th. Began to write on Tuesday, intending to send by a sloop, but it goes now by the mail."

I here introduce another letter written from Clermont, by Judge Livingston's father, to his grandson, Robert R. Livingston, Jr., afterwards the Chancellor. The Judge and his father were both residing at Clermont, while the future Chancellor was studying law in New York. It is indeed a valuable relic of the past:

CLERMONT, the 29th March, 1769.

"DR. GRANDSON ROBERT:

I recd. yrs of the 6th of March; but your good father opened it by mistake; consequently he knew you had applyed to me, in pursuance of my orders, for a little money, in case you should be straitened, which I take in good part. Yr. daddy was a little out of humour, alledging you was a little too lavish, but I told him you could not receive cash for law, till bills were taxt, and then not to be too hasty, which would look necessitous and griping, wherein he acquiesced. I should immediately have enclosed you a 10 lb. bill, but he told me you would receive about £50 or £60 of his money, whereout you could deduct that amount; so I gave him the £10."

\* \* \* \* \*

Judge Livingston was a man, whose religious feeling was the ruling quality of his character. His judicial duties, political labors, and private affairs, gave him plenty of employment. He

was Chairman of the Committee appointed by the General Assembly of New York, to correspond with other Assemblies, in relation to the grievances of the Colonies. He was admitted, in the absence of delegates regularly appointed, by New York, in the Stamp Act Congress of 1765. He was the author of the address to the King, adopted by that body, praying for the invaluable rights of taxing ourselves, and trials by our peers. Judge Livingston's moderation kept him rather behind his father and his son, in their views of Independence. (The petition to the King can be found in the appx. to this work.) Now we are on the Stamp Act, a few remarks, and the connection of Judge Livingston with it, will not be out of place. A Stamp Act Bill passed the House of Commons in March, 1764. It had been proposed as early as 1734 by Crosby, Governor of New York, and in 1739 by Keith, Governor of Pennsylvania. It was suggested by Clarke, Lieutenant-Governor of New York, in 1744, by Dr. Franklin in the First Colonial Congress in 1754, and by Lieutenant-Governor Delancey in 1755. The Americans would listen to propositions for taxation by their local governments, but would not brook such imposition from abroad. It was proposed to Sir Robert Walpole in '1732, when that sagacious statesman said, "No, no; I will leave the taxation of America to some of my successors who have more courage than I have;" and when it was proposed to Pitt in 1759, he said, emphatically, "I will never burn my fingers with an American Stamp Act." But Grenville, honest but utterly unable to look beyond the routine of official duty, took the step boldly, because he could not perceive the danger, and illustrated the assertion that

"Fools rush in where angels fear to tread."

He wholly mistook the temper of the Americans at that time. It had been sorely tried by earlier offensive measures; and a consciousness of latent power made the colonists restive under petty oppressions. They had resolved *not to be taxed without their own consent*. A great principle was involved in their resolution, and they were firm.

When intelligence of these tax measures reached America it produced wide-spread discontents among the people. The right of Parliament to tax them without their consent was generally denied; and they asserted a present inability to pay increased taxes because of the depression in business produced by the late war. They pleaded justly, that the operations of the new revenue laws would work disastrously upon their trade with the Spanish Main and the West Indies, from which alone they derived the means of paying taxes in coin. But the Imperial Government was deaf to all petitions and remonstrances, several of which were presented. The assurances of Dr. Franklin, who was sent to England as the agent for Pennsylvania, that the taxes would never be paid, and that an attempt to collect them by force might endanger the unity of the British empire, were unheeded. The Ministry openly declared that it was "intended to establish *now* the power of Great Britain to tax the colonies" at all hazards; and the King, in his speech at the opening of Parliament early in January, 1765, alluded to the excitement in America, recommended the adoption of a Stamp Act, and declared his intention to use every means in his power "to enforce obedience in the colonies." The Act—the famous STAMP ACT which figures so conspicuously in the events immediately preceding the old war for Independence that gave birth to our republic—was passed after some opposition in Parliament, and on the 22d of March became a law by receiving the signature of the King. The Act was to go into effect on the 1st of November following.

For almost a year the colonists had been in expectation of the passage of a Stamp Act, and their feelings were at fever heat. When news of its having actually become a law reached them the whole country was aglow with intense excitement. In every colony the people expressed their determination to resist its enforcement. Massachusetts and Virginia were loudest in their denunciations of it, while New York and Pennsylvania were not much behind them in active zeal. Indeed New York had led in the matter. As early as October the previous year, the Assembly



of that Province appointed a Committee, with Robert R. Livingston as chairman, to correspond with their agent in Great Britain, and with the other Colonial Legislatures, on the subject of this Act and kindred oppressive measures adopted by Parliament. That Committee, early in 1765, urged upon the Colonial Assemblies the necessity for holding a General Congress of delegates to remonstrate and protest against the continued violation of their rights and liberties. The idea was popular. Massachusetts was the first to take public action on the subject. That action originated in a conversation one evening at the house of James Warren, of Plymouth, when James Otis the elder, father of Mrs. Warren, and James Otis the younger, her brother, were guests there. The recommendation of the New York Committee was the topic; and it was agreed that, at the next meeting of the General Assembly of the Province, the proposition should be presented by the younger Otis, who was a member of that body. Accordingly, on the 6th of June he moved in the Assembly, that "It is highly expedient there should be a meeting, as soon as may be, of Committees from the Houses of Representatives, or Burgesses, in the several colonies, to consult on the present circumstances of the colonies, and the difficulties to which they are, and must be, reduced, and to consider of a General Address—to be held at the city of New York the first Tuesday of October." The resolution, and a circular letter to the other Assemblies, were adopted, and the Speaker was instructed to send a copy to the Speaker of each of those Assemblies. The following is a copy of the letter:

"BOSTON, June, 1765.

"SIR,—The House of Representatives of this Province, in the present session of the General Court, have unanimously agreed to propose a meeting, as soon as may be, of COMMITTEES from the Houses of Representatives or Burgesses of the several British colonies on this continent, to consult together on the present circumstances of the colonies, and the difficulties to which they are, and must be, reduced by the operation of the acts of Parlia-

ment for levying duties and taxes on the colonies ; and to consider of a general, and united, dutiful, loyal, and humble representation of their condition to his Majesty and the Parliament, and to implore relief. The House of Representatives of this Province has also voted to propose that such meeting be at the city of New York, in the Province of New York, on the first Tuesday in October next ; and have appointed a Committee of three of their members to attend that service, with such as the other Houses of Representatives, or Burgesses, in the several colonies, may think fit to appoint to meet them. And the Committee of the House of Representatives of this Province are directed to repair to New York on said first Tuesday in October next accordingly. If, therefore, your honorable House should agree to this proposal, it would be acceptable that as early notice of it as possible might be transmitted to the Speaker of the House of Representatives of this Province.

“SAMUEL WHITE, *Speaker.*”

This letter was received with joy in all the colonies. More than ten years before Dr. Franklin had printed in his paper a rude picture of a disjointed snake, with the initials of a colony on each part, and the significant words, *Join or Die*. That symbol of weakness in separation—that hint of life and strength in *Union*, had been pondered by the people all that time. The idea of a national confederation had become a sentiment and a hope in the hearts of thoughtful men ; and now, when a way for Union seemed wide open and inviting, the people accepted the opportunity with thankfulness.

The Congress assembled in the city of New York on Monday, the 7th day of October, 1765. Nine of the thirteen colonies were represented, as follows :

*Massachusetts.*—James Otis, Oliver Partridge, Timothy Ruggles.

*Rhode Island.*—Metcalf Bowler, Henry Ward.

*Connecticut.*—Eliphalet Dyer, David Rowland, William Samuel Johnson.



*New York.*—Robert R. Livingston, John Cruger, Philip Livingston, William Bayard, Leonard Lispenard.

*New Jersey.*—Robert Ogden, Hendrick Fisher, Joseph Borden.

*Pennsylvania.*—John Dickenson, John Morton, George Bryan.

*Delaware.*—Caesar Rodney, Thomas M'Kean.

*Maryland.*—William Murdock, Edward Tilghman, Thomas Ringgold.

*South Carolina.*—Thomas Lynch, Christopher Gadsden, John Rutledge.

It will be observed that six of the twenty-seven delegates were signers of the Declaration of Independence, eleven years afterward.

In the Address to the King, the most loyal attachment to his person, family, and office was avowed. They alluded to vested rights and liberties found in their charters; and they expressed their belief that if His Majesty should fix the pillars of liberty and justice, and secure the rights and privileges of his subjects in America, upon the principles of the British Constitution (which is simply the body of the laws,) a foundation would be laid for rendering the British empire the most extensive and powerful of any recorded in history.

Their voice was potential; and on the 18th of March, 1766, an Act to repeal the Stamp Act, accompanied by Pitt's Declaratory Act, so called, was passed, and became a law on the same day by receiving the signature of the King. He signed the Stamp Act cheerfully, but affixed his signature to the Act for its repeal most reluctantly. It was carried in the Commons by a vote of two hundred and seventy-five to one hundred and sixteen. It met strenuous opposition in the House of Lords, where it had a majority of thirty-four. Thirty-three peers entered a strong protest against it, embodying ten argumentative reasons, the most forcible of which that seemed to operate on their minds being that "such a submission of King, Lords, and Commons, under such circumstances, in so strange and unheard-of a contest, would in effect surrender their ancient, unalienable rights of supreme jurisdiction, and give them

exclusively to the subordinate Provincial Legislatures." Precisely what the people demanded, and what the Congress had declared to be the inalienable right of the people.

The news of the repeal of the Stamp Act was received with unbounded joy by the Americans, and the shackles upon commerce were immediately loosened. London had already been illuminated, and the shipping of the Thames decorated with flags in honor of the event. In Boston the intelligence was received at noon on a bright May day. The bells were rung; cannon roared; the *Sons of Liberty* drank toasts; all the debtors in jail were set free; John Hancock treated the populace to a pipe of wine, and the capital of New England was jubilant until midnight. Philadelphia was made equally merry. Maryland voted a portrait of Lord Camden for the State-house, for he had said in the House of Peers that "Taxation and representation are inseparable." Virginia resolved to decorate her old capital—Williamsburg—with a statue of the King; South Carolina ordered a statue of the author of the repealing Act for her only city; and New York's joy and loyalty were displayed by voting to erect within the borders of the city a statue of both Pitt and the King.

The statue of the King (equestrian) was set up in the Bowling Green at the foot of Broadway. It was made of lead, and gilded. When the storm of the Revolution broke over the land, and the King had been denounced as "a tyrant unfit to be the ruler of a free people," his statue was pulled down and cast into bullets, and the "ministerial troops" soon afterward had "melted Majesty" fired at them. When that statue fell royal power was at an end in the colonies. They had just declared themselves "free and independent States," and were fighting manfully under the banner of that Union which was formed in the Stamp Act Congress.

Such was Robert R. Livingston, the father, and it will be seen, as stated, that he filled as important a part in the advent stages of the Revolution, as his sons and daughters bore in and through the

great war for freedom. On the 5th of May, 1775, he wrote to his son Robert, (afterwards the Chancellor,) as follows :

“MY DEAR SON :

You, I suppose, are now on your way to Philadelphia, and will soon make one of that important body, which will engage the attention of all America, and a great part of Europe. May Heaven direct your counsels, to the good of the whole empire. Keep yourself cool on this important occasion; from heat, and passion, prudent counsels can seldom proceed. It is yours to plan and deliberate, and whatever the Congress directs I hope will be executed with firmness, unanimity, and spirit. Every good man wishes that America may remain free. In this I join heartily; at the same time I do not desire that we should be wholly independent of the mother country. How to reconcile these jarring principles, I profess, I am altogether at a loss. The benefit we receive of protection, seems to require that we should contribute to the support of the Navy, if not to the Armies of Britain. I would have you consider, whether it would not be proper to lay hold of Lord North's overture, to open a negotiation and procure a suspension of hostilities. In the meantime, the check General Gage has received, and our non-importation, will perhaps have a good effect in our favor on the other side of the water. This seems to be the thought of our counsel here, as Mr. Jay, and Mr. Livingston, will inform you. I should think, if you offered Britain all the duties usually paid here by our Merchants, even those paid since the disturbances began, those on tea excepted, which seems to be too odious, and all other duties they may think convenient to levy, for the regulation of trade, shall be lodged in the treasury of each colony, to be disposed of by their respective Assemblies, and Legislatures, on an engagement on their side that no other taxes shall be imposed on them but by their own representatives, we ought to be contented. Some specious offer should be made to increase our friends in England. This, or some other of that kind, if Lord North meant anything by his motion but to deceive

the people of England, ought to put a stop to his proceedings for the present ; otherwise the odium he lies under must increase. The Boston charter, ought by all means to be restored, and were the tea paid for, as a *douceur*, by the whole continent, it would be no matter. But this you will not insist on, unless you are well supported. These are my present thoughts ; however, judge for yourself, and unite by all means, for on this all depends. As to what relates to war, after agreeing on quotas, the manner of levying men and money, will I suppose, be left to each colony. May God direct you in all things ; a dependence on him will inspire both wisdom and courage ; and if His Providence interfere in anything, as I firmly believe it does in all things, it certainly does in the rise and fall of nations.

“Your most affectionate father,

“R. R. LIVINGSTON.”

P. S.—Inquire whether I can have a quantity of saltpetre ; I hear there is a large quantity imported at Philadelphia.”

The saltpetre, in this postscript, sought after, was for use in a powder mill, which the writer was then erecting, and in which his son John R., manufactured gunpowder during the Revolution. The following letter to Robert, dated June 19th, 1775, shows the proneness of Judge Livingston's views, and mentions his powder mill :

“I conclude, from the King's answer to the Lord Mayor, that if American liberty is maintained, it must be by the greatest exertion of our force, under the favor and direction of Providence. In this situation I am under no apprehension but from the enemies we have amongst ourselves ; a hearty and united opposition would render us to all appearance invincible. In this part of the country, we have many opposers, but still the whig interest appears to be growing ; committees have been, or will be, chosen in every part of Dutchess, but I believe there will be many who will not sign the association, and great opposition is made to the choosing of a committee in Rhinebeck. Cousin Robert found the Manor people

under arms, last Tuesday. About two thirds signed the association, the rest are to consider it a fortnight, but many oppose warmly. The whigs are predominant at least in Tryon, and if I can depend upon the information I have received, have sent deputies to the Pl. Congress. I hear the adjourning of your Congress to Hartford, or Albany, has been mentioned. As the object of most consequence is union, the greater attention should be paid to the three counties, Albany, Charlotte, and Tryon. It seems to be absolutely necessary, that they should be in a state of defence. In this purpose, nothing could be more effectual than the Congress sitting in Albany. This would oblige all the Tories, as they are called, to join, to say nothing of its being one hundred and fifty miles nearer the seat of action. My powder mill will be set agoing, I hope, the beginning of next week. Mr. F——'s conduct appears to me unaccountable. Does he, or does he not approve of vigorous measures. I still expect much good from his counsels. I see by the genuine speech of Lord North, that he disdains treating. I am convinced they don't know America yet. I don't wonder at it; we are hardly yet ourselves apprised of the power we are able to exert, and that makes many afraid to join in the cause." \* \* \* \* \*

One of Judge Livingston's most intimate friends, William Smith, the Historian, was accustomed to say: "If I were to be placed on a desert island, with but one book, and one friend, that book should be the Bible, and that friend Robert R. Livingston." Margaret Beekman survived her husband many years, and died in June, 1800, at Clermont. Her husband, the Judge, died in 1775, also buried at Clermont. She was a brave, heroic and patriotic woman, and bore a noble part in the home life as one of the women of the American Revolution.



## CHAPTER IV.

## LIVINGSTON MANOR.

In the year 1710, Livingston's grants were consolidated, and Hunter, the Royal Governor, gave him a patent for a tract of land, as before stated, a little more than one hundred and sixty thousand acres, for which he was to pay into the King's treasury, an annual rent of twenty-eight shillings, lawful money of New York, a trifle over fourteen shillings sterling. This magnificent estate was constituted a Manor, with political privileges. The freeholders upon it were allowed a representation in the Colonial Legislatures, chosen by themselves, and in 1716 the Lord of the Manor, by virtue of that privilege, took his seat as a Legislator. He had already built a Manor House, to which the real title belongs, on a grassy spot upon the banks of the Hudson, environed with grape vines, bowers, and gigantic trees, at the mouth, and upon the north side of Roeleffe Jansen's Kill, which is now usually called Livingston Creek, of which house hardly a vestige now remains to mark the site.

In the year above stated, Governor Hunter, by order of Queen Anne, bought of Mr. Livingston 6,000 acres of his Manor for the sum of a little more than £200, for the use of Protestant Germans, then in England, who had been driven from their homes, in the lower Palatinate of the Rhine, then the dominions of a cousin of

the British Queen. About eighteen hundred of them settled upon the Manor lands, and also at a place upon the opposite side of the river, the respective localities being and still are known, as East and West Camp. The Lord of the Manor gave, by his will, the lower portion of his domain to his youngest son, Robert, as a reward, as previously stated, where he built a much finer stone mansion than the old Manor house, and named this Manor, *Clermont*. This, to distinguish it from the old House, was called "the lower Manor House." There Robert R. Livingston, Chancellor, was born, and after his marriage he built a mansion for himself a little south of the old Manor House. His zeal in the Republican cause, at the opening of the revolution, made him an arch rebel in the estimation of the British Ministry, and army, in America. When in the fall of 1777, General Vaughan at the head of the royal troops went up the Hudson, on a marauding expedition to produce a diversion in favor of Burgoyne, then environed by the American army at Saratoga, they proceeded up the river as far as Clermont, burnt Livingston's new house, and the old Manor House adjoining, where his widowed mother resided, and then retreated to New York, after hearing of the bad news, to them, from Saratoga.

Mrs. Livingston, immediately after, built another Mansion House upon the site of the old House, using the same side walls, which were of stone, and which remained firmly standing to rebuild upon. A locust tree, still standing on the lawn at Clermont, is shown, whose limbs were removed by a cannon ball fired at the house from the British vessel, before a landing was made by the troops. This House is now occupied by a grandson of the Chancellor, Mr. Clermont Livingston, a most worthy representative of that noble old family. The Chancellor, or as the British called him, (the rebel,) erected a more elegant House for himself south of the ruins of the old one, that had been destroyed. This he also named Clermont. This Mansion, still standing, is most beautifully situated, and like all the fine villas of this neighborhood, com-



mands a splendid view of the river, and the always changing, legendary Kaatsbergs.

It was described as long ago as 1812, as one of the most commodious houses in the State, having a river front of 104 feet, and a depth of 91 feet, and built in the form of a letter H—consisting of a main body of two stories, and four pavillions, in one of which the Chancellor had a fine library of over 4000 well chosen volumes. It was furnished in that olden time, with furniture and tapestries, imported expressly for it, from France by the Chancellor.

His silver service was also magnificent, and said to have been worth at least from \$20,000 to \$30,000. The centre piece was valued at \$3,000. The House is built in the French style of architecture, and has on three sides of it one of the most extensive lawns in this country. Downing thus describes this fine place:

“On the banks of the Hudson the show place of the last age was the still interesting Clermont, then the residence of Chancellor Livingston. Its level or gently undulating lawn, a mile or more in length, the rich native woods, and the long vistas of planted avenues, added to its fine water view, rendered this a noble place. The mansion, the green-houses and the gardens, show something of the French taste in design, which Mr. Livingston's long residence abroad, at the time when that mode was popular, no doubt led him to adopt. The finest specimens of the yellow locusts in America are now standing upon the pleasure grounds here.” One of them measures sixteen feet in circumference, and most all are very large trees and form one of the many beauties of this fine old place.

In this House, and upon these grounds, was the grand reception given to Lafayette, upon his last visit to this Country, in 1824, when the lawn for half a mile was crowded with people, and the waters in front were white with vessels, freighted with visitors from the neighboring counties, and all the cups, plates, ladies'

gloves and slippers, bore the image, or name, of Lafayette. All that was most distinguished in the world of politics or of letters, in this country, used to be gathered under the shades of this fine rural retreat. Since that period, however, the place has occupied but a quiet space in the public eye. At the time of the grand reception it was occupied by Robert L. Livingston, who married one of Chancellor Livingston's two daughters, and Edward P. Livingston married the other and occupied at this time the old Manor House adjoining.

The Chancellor's place was purchased from the estate of Robert L. Livingston's son, Mr. Montgomery Livingston, by the Misses Clarkson, in 1858, who have put the old House in complete repair, and are always pleased to show it to the admirers of fine old rural homes, where beautiful views, magnificent lawns and fine old trees are appreciated, coupled with the queenly grace and welcome address of its present owners, offer the strongest inducements to make a visit to this hospitable Mansion, so renowned and linked as it is with the remembrances of past days, and of a past age.

Mrs. Julia M. Olin, in her work, the "Perfect Light," thus describes Clermont and the appearance there of the British troops :

"The summers were spent in their lovely home, beside which the broad Hudson rolled its abundant stream, and before which the Catskills rose up with their grand beauty. Locust trees shaded the lawn, while the terraced garden, gay with flowers, and rich in fruit, crept up the hill behind the house ; adjoining the place, and connected with it by a beautiful walk, was Chancellor Livingston's place, with its superb lawns, stretching to the south and north, bounded by fine trees. War threw its shadows over this pleasant home. All were deeply interested in the war for Independence. The eldest son, Robert, departed for the first Congress at Philadelphia, and Montgomery left his fair young wife, and home, for his Northern Campaign, in which he lost his life, given as a sacrifice upon the altar of his country, but won a name and

fame immortal. His brother-in-law, Henry B. Livingston, accompanied him, while the father encouraged volunteering at home among his tenants, by offering special privileges to the families of those who should fall in the war. Many went forth to fight the battle of freedom," and

"They left the ploughshare in the mold,  
Their flocks and herds without a fold,  
The sickle in the unshorn grain,  
The corn half garnered on the plain,  
And mustered in their simple dress,  
For wrongs to seek a stern redress,  
To right those wrongs, come weal come woe,  
To perish or o'ercome their foe.  
Oh few, and weak their numbers were,  
A handful of brave men,  
But to their God they gave their prayer,  
And rushed to battle then,—  
The God of battles heard their cry  
And sent to them the victory."

At the close of 1775, while Mrs. Livingston and her daughters were at the dying bed of her honored father, Col. Henry Beekman, at Rhinebeck, the beloved husband and father at home was taken sick and died with a sudden attack of apoplexy, at the age of fifty-one. "My father died without blessing me," he had been accustomed to remark, "and I shall die without blessing my children." And so for years they had never parted from him without a father's blessing. As trouble, they say, never comes singly, so whilst the family were suffering from this double bereavement, the heavy tidings arrived of the death of the hero who died in the front of battle, General Montgomery, at Quebec. Thus in the short space of three weeks three homes were made desolate. But this was not all, for even the quiet shades of Clermont, where so much natural beauty reigned, one would suppose, would be exempt from trouble, but even Clermont was not to be exempted from the sound and desolation of war,

The aim of the British was to obtain, if possible, the entire possession of the Hudson River, and thus isolate New England from the rest of the States. To effect this much desired object, Burgoyne, was to march from the North, and Vaughan from the South. There was intense excitement at Clermont when the news arrived of Burgoyne's surrender. Margaret, afterwards Mrs. Tillotson, was knitting a long stocking for an old family servant, which, for a wager, she was to finish in a day. It was near midnight, the stocking was rapidly approaching its completion, when black Scipio rushed in with the joyful news of Burgoyne's surrender. The stocking was at once thrown aside and the wager lost.

The enemy, however, were steadily approaching from the South, lighting their way by burning towns and private dwellings. Clermont might have been untouched, as at that time two British officers, a wounded captain named Montgomery, and his Surgeon, had been for some time very hospitably entertained by Mrs. Livingston, at Clermont. They proposed to extend their protection to the house and family, but Mrs. Livingston and son both refused to have their property protected by the enemies of their country, and her son, the future Chancellor, sent them to the house of a Tory neighbor. The preparations for the quick departure of the family were made. All were busy. The females of the household all giving a hand, to assist the general packing, for the removal of clothing and all movable valuables. Silver and other articles of value were buried in the wood, books were placed in the basin of a dry fountain and covered with rubbish; wagons and carts were piled up with baggage and all necessary articles required by so large a family, both for immediate use as well as preservation. Even at this hour, Mrs. Livingston burst into a hearty laugh, at the odd figure of an old black woman perched upon this miscellaneous assortment of trunks and bundles. There was not much time to spare, for as the last load from the house had disappeared, and when the carriages containing the family had reached the top of the hill overlooking the house they beheld the smoke

already arising from its walls. It had been fired as soon as entered by the British soldiers, one party of whom had arrived by land from Rhinebeck, which place they had burned, and another party landed from the British ship of war, which lay south of the point.

Large looking-glasses had been carefully hung in an out-house, by the family before their departure, and an inside frame made to conceal them from view, but the soldiers discharged their muskets at the building and reduced to splinters the valuable mirrors. With heavy hearts the family left a home, endeared to them by all the associations which make a home one of cheerfulness, happiness and contentment. They took refuge in the town of Salisbury, in Berkshire, just beyond the border of Massachusetts, where they made a temporary home, in a house which is still standing; a stone house near a picturesque lake; here they remained but a short time. The hasty retreat of Vaughan's forces rendering Clermont a safe residence again, Mrs. Livingston and her family returned to her farm house and at once commenced to rebuild the Mansion House, and in about a year removed into it. Whilst writing of Mrs. Livingston I will here give a letter written to her, by the Hon. John Jay in the year 1782, from Paris:

*"To Mrs. Margaret Livingston:*

PARIS, 26th August, 1782.

"DEAR MADAM:—Your favour of the 21st of April, reached me the 18th of July last, and is the only letter I have as yet been honored with, from you, the one you allude to having miscarried; I regret its loss, for I am persuaded it was a friendly one.

"The first and only intelligence I have received of my father's death is contained in yours and Robert's letters. That event was not unexpected, but my long absence greatly increased the bitterness of it. From the day I left him I never ceased to regret that it was not in my power to soften his troubles, by those soothing attentions, and returns of gratitude which he had a right to



expect ; and which always make the most pleasing impressions on those by whom we have been the most highly obliged. His affection for me was unbounded, and he knew how sensible I was of it. He has had severe trials, but they are over. I have lost in him an honest friend and a kind father, who never denied me anything, but from my youth was ever studious to anticipate my very wishes. Thank God there is another world in which we may meet and be happy. His being there is a new motive to my following his footsteps. I assure you I know the value of Christian resignation ; it has been friendly to me on several occasions, which may, perhaps, one day furnish us with matter for conversation. I thank you most sincerely for reminding me of the great business and purpose of my life. Such admonitions, so given, are never unseasonable, and always kind. I am persuaded that they who have no regard for their own souls, will seldom have much for the happiness or interest of others ; and I have learned to expect no sincere attachment, from those whose principles of action are created by occasional convenience. These reflections afford a test for professions, and that test tells me to believe yours to be real, and to rely upon it accordingly. The regard and good opinion of the good, yield rational pleasure, and I value this ground of satisfaction too highly to omit any opportunity of cultivating it. I rejoice in Robert's good health, and in that of his daughter ; I believe every syllable you say of her temper and disposition, for unless by supposing some perverse cross, it would be difficult to account for her having a bad one. I should be happy if this blessing were to be soon followed by that of a son, equally promising ; for Claremont has my best wishes, that it may administer affluence to a long succession of wise and good possessors.

“You ask me when we shall meet ? I wish it was in my power to answer this question with certainty, but it is not ; all I can say is, that one of my first wishes, is to return, and to spend my days with a brother and sister whom I tenderly love, and whose afflictions I earnestly desire to alleviate by every proof of fraternal

affection. It might, perhaps, be in my power to pass a more splendid and easy life on this, than on that side of the water, where the wrecks of the fortunes of the family afford no very flattering prospects. But as personal considerations ought to have no influence, I adhere to my first determination, that the term of my absence shall depend entirely on public convenience, which in my opinion, will not detain me longer than until the conclusion of the treaties, which are to terminate the war. Mrs. Jay assures you of her affection and respect; be pleased to present our compliments and best wishes to your good family, and believe me to be

Dear Madam,

“With sincere esteem and attachment,

Your most obedient and very humble servant,

“JOHN JAY.”



## CHAPTER V.

## BIRTH AND YOUTH OF ROBERT R. LIVINGSTON, (CHANCELLOR.)

We have sketched the lives of the Judge, and his wife ; we will now enter upon the life of their eldest son, Robert R., the Chancellor. Judge Livingston and his wife were blessed by a most remarkable group of children, four sons and six daughters, all of whom, when married, settled upon the banks of the Hudson, extending from Staatsburgh to Clermont. The oldest and youngest sons were prominent as statesmen, Robert R. and Edward.

Robert R. Livingston was born in the city of New York, on the 27th day of November, 1746, and in the record in the old family Bible it is written under the above heading : "The Lord bless and be with him, Amen." And no man was ever more blessed than he, both in public and private life. He was educated by the best teachers of the period, and afterwards at King's, (now Columbia,) College, then under the Presidency of Myles Cooper, of Revolutionary celebrity, where he graduated at the early age of eighteen, in 1764. Upon that occasion he delivered a stirring oration, in praise of liberty, in which he had given the every day sentiment of his family and friends, who in a few years from that date formed the head and life blood of the young Republic struggling for Freedom.

The New York *Gazette*, of May 30th, 1764, has an article on young Livingston's oration, as follows: "In particular, Mr. Livingston, whose oration in praise of liberty was received with general and extraordinary approbation, and did great honor to his judgment and abilities in the choice of his subject, the justice and sublimity of his sentiments, the elegance of his style, and the graceful propriety of his pronunciation and gesture; and many of the audience pleased themselves with the hopes that the young orator may prove an able and zealous asserter, and defender, of the rights and liberties of his country, as well as an ornament to it."

About three years or so after this, when Robert was home at his father's, the old homestead at Clermont, on a short visit, the following incident occurred. His brother Edward, the then baby of the family, as he was only five or six years of age at the time, had for his first teacher a Clergyman of the Dutch Reformed Church, and of Dutch ancestry, known by the name of Dominie Doll. He was a widower with only one child, a daughter, who was a young lady of gay and sprightly manner, full of frolic and good nature. With this daughter the Dominie lived for some time in the family of Judge Livingston, as tutor for the young children. One day as Robert was leaving home for Albany, he inquired of the Dominie's daughter, Miss Doll, in his characteristically friendly, gallant manner, "Well, Miss Doll, what shall I bring back for you from Albany?" "A good husband," was the lively reply. "Agreed," replied the future Chancellor; and it happened that he really did bring back with him, as a guest, a gentleman who in due time married the Dominie's daughter, and they afterward lived a happy life together at Kinderhook. I presume she ever after thought "that there's many a true word spoken in jest."

Robert studied law under William Smith, the Historian of New York, and afterwards in the office of his relative, William Livingston, the distinguished Governor of New Jersey. In October, 1773, he was admitted to the bar, and worked hard, becoming

very eminent in his profession, and for a short time was in partnership with his intimate friend, John Jay. Soon after this he was appointed Recorder of his native city, and soon became an early opponent of British oppression, taking a very active part in politics. The Revolution found him in the above position, so that both father and son relinquished at the same time important judicial stations, to take part with their fellow patriots in the liberation of their country. But amidst all his duties Robert found time for courtship, for we find that upon the 9th day of September, 1770, at Hunterdon, Hunterdon County, New Jersey, at the residence of the Hon. John Stevens, he was married to Miss Elizabeth Stevens, daughter of the above. Upon which occasion were gathered all the relatives and friends of both families, called together to witness the bridal ceremony, which always occasions those happy re-unions of members of a large family, that meet but seldom; and for once, at least, all the gentlemen and ladies of the Manor, like the birds in Autumn, had migrated southward.

Two daughters were the fruits of their union. Their first daughter, Elizabeth Stevens, was born at Hunterdon, the seat of the Hon. John Stevens, on the 5th day of May, 1780. This daughter afterwards married in the year 1800, Edward P. Livingston, and she died June 10th, 1827, leaving two sons and three daughters.

Their second daughter, Margaret Maria, was born in the city of Philadelphia on the 11th day of April, 1783. She was married in the year 1799, to Robert L. Livingston, and died March 8th, 1818, leaving three sons and five daughters.

The trying question of the rights of the British Parliament, in which we were unrepresented, to impose exactions on our citizens then first began to be agitated, and the subject of this memoir, as well as his illustrious father, were both ejected (as I have before stated,) from their official stations; the latter as one of the Justices of the Court of Oyer and Terminer, for adherence to the rights of

their countrymen. It was early predicted that these rights could be successfully asserted only by the sword; but remonstrance after remonstrance, petition after petition, was presented to a ministry attentive only to their passions and heedless of the rights of others. The colonies, separated from one another by a thousand feelings and prejudices, soon exhibited a united resolution to resist these pretensions with manly effort.

The official stations of Mr. Livingston did not prevent his joining the great body of his countrymen, in resisting claims so unjust and oppressive. In return for royal persecution Mr. Livingston was rewarded by popular favor, and the confidence of his country. In this war of principle now commencing, Massachusetts, New York and Virginia, represented not imperfectly the entire population of the American Colonies. The first was settled by emigrants chiefly from England, puritans in religion and in politics; Virginia was colonized by an adventurous population, who transferred with them the rights and feelings of Englishmen. The central colonies, of which New York was the fairest representative, had emigrated from Holland, which preceded even the English, in the assertion and vindication of the rights of conscience, and even during a struggle of eighty years wafted their commerce to every region of the earth.

This various population united for the most part in one spontaneous spirit of opposition to the claims of Parliament. Yet in New York, her magnificent but unprotected harbor and frontier exposed to the depredations of the ruthless savage, laid her open to the naval force of Great Britain, and paralyzed for a time the efforts of her patriots. Virginia was foremost in resisting the odious Stamp Act, which, under a deceitful vizard, concealed the arrow of destruction. In Boston the fatal poison lurked in the tea chest. In the vicinity of that town the blood of Englishmen and Americans first mingled in hostile conflict. The names of George Clinton, John Jay, Philip Schuyler, and Robert R. Livingston,

are sufficient evidence that this State was not behind her elder sisters in devoted ardor and patriotism. These noble champions of our cause justly deemed their power and influence pledges of fidelity to the people, which it required their highest efforts to redeem.

## CHAPTER VI.

## FROM 1774-6 AND DECLARATION OF INDEPENDENCE.

The Delegates from the Colony of New York to the first Continental Congress in 1774, were not chosen by the General Assembly, but by the suffrage of the people, manifested in some sufficiently authentic shape in the several counties. The Delegates to the second Continental Congress, which met in May, 1775, were chosen by the Provincial Congress, which the people of the colony had already created, and which was held in April of that year, and had virtually assumed the powers of the government. The delegates from this colony, New York, to this second Congress, were John Jay, John Alsop, James Duane, Philip Schuyler, George Clinton, Lewis Morris, and Robert R. Livingston, and the weight of their talents and character may be inferred from the fact that Mr. Jay, Mr. Duane, Mr. Schuyler, and Mr. Livingston, were early placed upon the Committees charged with the most arduous and responsible duties.

We find Washington and Schuyler associated together in the Committee appointed on the 14th of June, 1775, to prepare rules and regulations for the government of the army. "This association of those great men, commenced at such a critical moment, was the beginning of a mutual confidence, respect, and admiration



which continued with uninterrupted and unabated vividness during the remainder of their lives. An allusion is made to this friendship in the memoir of a former President of this society, and the allusion is remarkable for its strength and pathos. After mentioning General Schuyler, he adds: 'I have placed thee, my friend, by the side of him who knew thee; thy intelligence to discern, thy zeal to promote thy country's good, and knowing thee, prized thee. Let this be thy eulogy, I add, and with truth peculiarly thine, content it should be mine to have expressed it.'

"The Congress of this Colony, during the years 1775 and 1776, had to meet difficulties and changes almost sufficient to subdue the firmest resolution. The population of the colony was short of 200,000 souls. It had a vast body of disaffected inhabitants within its own bosom. It had numerous tribes of hostile Indians on its extended frontier. The bonds of society seemed to have been broken up, and society itself resolved into its primitive elements. There was no civil government but such as had been introduced by the Provincial Congress and County Committees, as temporary expedients. It had an enemy's province in the rear strengthened by large and well appointed forces. It had an open and exposed seaport, without adequate means to defend it. In the Summer of 1776 the State was actually invaded, not only upon our Canadian but upon our Atlantic frontier by a formidable fleet and army, calculated by the power that sent them to be sufficient to annihilate at once all our infant Republics."

Robert R. Livingston was one of the leading spirits of those days; being a man of rare ability and accomplishments, he took a leading part in the debates in the Congress, both of 1775 and 1776, and he was placed as one of the Committee to prepare and report a plan of confederation for the colonies. He was also one of the Committee of five appointed to draw up and prepare the Declaration of Independence. This Committee was instructed by Congress to draw up a declaration in accordance with a resolution



offered June 7th, by Richard Henry Lee, of Virginia. Thomas Jefferson, John Adams, Benjamin Franklin, Roger Sherman, and Robert R. Livingston formed the Committee.

The Declaration of Independence was drawn up by Jefferson, assisted by the others of the Committee, and on the 4th of July, 1776, was adopted by Delegates of all the thirteen Colonies. They thus declared themselves free and independent, assuming the name of the United States of America. The Declaration was received with demonstrations of great public and private rejoicings; it was hailed with delight when read in the Churches, the Courts, the Taverns, Stores, and wherever a gathering of people could be collected together. It was read from a platform in the rear of the State House.

There hung an old bell in the tower of old Independence Hall, Philadelphia. It had been cast in England a hundred years or more before the revolution. On it was the following inscription, or words, from the Bible: "Proclaim liberty throughout all the land, unto all the inhabitants thereof." Very significant words, a true prophecy about to be fulfilled. On the day, and at the hour the signatures were to be attached to this important paper, an old man stood with bell rope ready in hand. The delegates were all assembled in the hall below, preparing to sign the Declaration to bind themselves for freedom or death, with lives, fortunes and their sacred honor. A boy stood near the delegates by the table to run out and call to the old man to ring the bell as soon as the last delegate had signed.

As I have said, the old man stood ready, doubtless with trembling, earnest, breathless attention. The last signer took up the pen, subscribed his name, threw down the pen upon the table. The deed was done, "the Rubicon was crossed." The boy quickly ran out into the street and called out to the old man, "*Ring.*" The old gray-beard pulled with all his might and the old bell proclaimed "Liberty throughout all the land, unto all the inhabitants thereof."

I need not dwell for a moment upon the awful responsibility assumed by our representatives. Suffice it to say, that as when the elder Brutus announced to the Roman people the outrage committed by Tarquin, and invoked their bravery and patriotism, our virtuous ancestors responded to the call, and with their hearts and votes united in pledging their lives and fortunes to maintain their sacred rights. When, at the recommendation of Congress, each State proceeded to frame a constitution of government, Mr. Livingston was elected a member of the Convention of New York, and was the chairman of the Committee who presented the draft of that instrument, which, as subsequently adopted, formed an era in Legislation, and may be fairly pronounced the most judicious scheme of polity then known to the world.

In that immortal Congress of 1776, Robert R. Livingston represented the feelings and interests of the people of the State of New York, and in that consecrated assembly his zeal and patriotism were universally acknowledged. The persevering efforts of the crown, against the rights of the people, produced that memorable declaration of the freemen of the colonies to dissolve forever all political connection with the parent country. Philip Livingston, Judge Livingston's cousin, was one of the signers of the Declaration of Independence, and Robert R., although one of its chief advocates and framers, was prevented from signing, being called home to attend to duties in New York, in the Provincial Congress, of which he was a member. So he had not the good fortune to place his signature to that instrument. He thus lost the opportunity of being enrolled in popular biographies as "one of the signers."

It was one of the regrets of Mrs. Montgomery's life that her brother was prevented from being a signer. He was, however, rendering most important service in the Provincial Congress, in preparation for the defence of the Hudson, which had engaged his attention on his first appearance at Philadelphia. Great rejoicings

were throughout all the States at the signing of the Declaration. On board of the frigate *Washington*, in the Delaware, the festivities terminated with a ball in the evening. The Declaration was read at the head of each brigade in the Continental army stationed at New York, and was received with joyful huzzas. On the same day all the imprisoned debtors were released ; and in the evening the equestrian statue of George III, raised in the Bowling Green, New York, in 1770, was thrown down. It was resolved that the lead of which it was composed should be melted into bullets and fired at the enemies of liberty.

## CHAPTER VII.

FIRST STATE CONVENTION OF 1777 AND ADOPTION OF STATE  
CONSTITUTION.

After the adoption of the Declaration of Independence of 1776, the General Assembly of the State of New York changed its title from Provincial Congress of the Colony of New York, to that of the Congress of Representatives of the State of New York. This first Convention of the Representatives of this State, having been elected to meet in the city of New York on July 8th, 1776, but for fear of being disturbed by the British army under Lord Howe, held adjourned sessions at White Plains, Harlem, Philipse Manor, Fishkill, and at last at Esopus, or what is now called Kingston, which then had a population of about thirty-five hundred souls, and was the third town in number of population in the Colony.

The object of the session was the forming of a State Constitution. At the first meeting, at White Plains, the Convention received the intelligence of the adoption of the Declaration of Independence, and its first action was to approve that measure by unanimous vote. A committee was formed to draw up and report a Constitution for this State to the Convention. The following members were appointed upon the above committee: John Jay, Robert R. Livingston, John Sloss Hobart, William Smith, William Duer, Gouverneur Morris, John Broome, John Morris Scott,

Abraham Yates, Jr., Henry Wisner, Sr., Samuel Townsend, Charles DeWitt, and Robert Yates. James Duane was afterwards placed upon the committee. It was submitted, or presented to the Assembly by Mr. John Jay, in which Mr. Jay bore so prominent a part. Robert R. Livingston introduced into the above instrument the section creating the Council of Revision, a body composed of the Governor, Chancellor, and Judges of the Supreme Court, which sat to revise all bills about to be passed into laws, by the Legislature, and of which he himself became a prominent member. The Court existed till it was abolished by the Convention of 1823, and its power lodged solely in the hands of the Governor, by the Constitution of that year.

On the 20th April, 1777, the first Constitution was adopted. Robert R. Livingston was at the time but thirty-one years of age, and was a conspicuous member of this body. He performed the labor of revising the draught of that instrument, not by any means an easy task, but one which required a man of large mind to accomplish. The new Constitution, adopted after an able, patriotic and deliberate discussion, was at last hurriedly printed and published to the State. It was printed in the old town of Fishkill, and read as a proclamation at Esopus, in front of the old Court House, to what was considered in those days quite a gathering of people. It was read by the Secretary of the Convention.

Other duties of a more active though not more responsible character, engaged Mr. Livingston's attention, as member of the Council of Safety, by which body he was charged with military powers, to aid General Schuyler on the Northern and Western frontiers, as well as for the protection of the Hudson River.

When the State Convention met at Fishkill, the members all armed themselves, for defence against the British, or Tories, who should attempt to assail them. Esopus afterwards became the Capitol of this State, in those days of terror. The first Governor and the first Legislature ever elected in this State, met there in

September. They boarded in the stone and frame farm houses and inns of the vicinity, and had plenty to employ them through all those autumnal days. The Constitution adopted there and revised by Mr. Livingston, is a document of great merit, and English jurists all gave it praise, and it was highly approved of throughout this country. As stated, with but slight amendments, the first constitution continued in force until 1823, when a new one was formed by a State Convention, and a third was made and became a law, in 1846.

The Governor, we have mentioned, who was elected in 1777, and with the Legislature held their first meeting at Esopus, was George Clinton. Elections had been held in all the counties of this State, except New York, Kings, Queens and Suffolk, which were then held in possession by the enemy. Pierre Van Courtlandt, who was President of the Senate, became Lieutenant-Governor; John Jay, Chief Justice; Robert Yates, and John Sloss Hobert, Judges of the Supreme Court; Egbert Benson, Attorney General.

Lossing, in his great work, "The Field Book of the Revolution," thus describes the attack of the British upon Kingston and the upper Hudson, in 1777. "Kingston or (Esopus,) being the Capitol of the State, when Sir Henry Clinton gained possession of the forts in the Hudson Highlands, was marked by the conqueror for special vengeance. Having demolished the Chevaux-de-frise at Fort Montgomery, the British fleet proceeded up the Hudson. The massive iron chain was then not yet stretched across the river at West Point, and all impediments being removed, a flying squadron of light frigates, under Sir James Wallace, bearing three thousand six hundred men, under the command of General Vaughan, sailed up the river. They were instructed to scatter desolation in their track, and well did they perform their mission.

"Every vessel upon the river was burned or otherwise destroyed; houses of known whigs, such as Henry Livingston, at Poughkeep-



sie, were fired upon from the ships, and small parties landing from the vessels desolated neighborhoods with fire and sword. They penetrated as far north as Kingston, where they landed on the 13th of October. The frigates were anchored a little above the present landing of Kingston Point, and a portion of the invaders debarked in the cove, north of the steamboat wharf; another division in small boats proceeded to the mouth of Esopus, now Rondout Creek, and landed at a place a little north-east of Rondout Village, called Ponkhoeken Point. The people at the Creek fled affrighted to Marbletown, seven miles south-west of Kingston, and their houses was destroyed. The two divisions then marched towards the village, one by the upper road and one by the Esopus creek road, near the house of Mr. Yeoman, who was in the American army, at Stillwater."

They set fire to this house, but the flames were subdued by a negro woman. They forced a negro man here to show them the nearest way to the town. The two columns of the enemy joined together upon a hill in sight of the town, and after a few hours halt proceeded to Kingston, where they fired every house in the town, which, together with a large quantity of provisions there, and at the wharves, was destroyed. The town was built mostly of rough stone, in the old fashioned style of rubble stone and mortar. (Many of this kind of houses are yet standing in this vicinity, Clermont, N. Y.)

The inhabitants fled, taking with them what valuables they could save in their flight, which of course was but few. There were between three and four thousand inhabitants (many wealthy,) of Kingston, in those days. The Governor and Legislature of the State were there at the time, and they endeavored to raise a number of Militia to protect them, but they failed to do so.

The enemy remained no longer than to burn the town and to inflict all the wanton damage they could upon the property owners in it, and upon the highways in the neighborhood, and

returned to the ships. They sent one vessel up the Hudson on an expedition of destruction, and a detachment of troops crossed the river and marched to Rhinebeck, where they burned many dwellings, and then proceeded northward on the river road as far as Chancellor Livingston's and his mother's residences, which they burned, as related in a previous chapter. Here the work of destruction was stopped by their receiving the news of the surrender of General Burgoyne to General Gates, at Saratoga, which news defeated their plan of joining their forces with the expected southward victorious army of Burgoyne.

So at Clermont they, with heavy hearts, all sorrowfully embarked in the vessel anchored off the point, and sailing down the river, rejoined the fleet at Esopus Creek, from which place the whole squadron sailed back to New York, having done much damage to the Patriots, but also having done much more damage to the cause of King George, as it kindled the spark of revenge in every American bosom, and adding fuel to the flame, made them only the more determined to resist the British power. Mr. Livingston, although deprived of a house for a time, thought not of this, but labored with the rest of his fellow countrymen with renewed vigor for freedom, and his gifted mind was ever working out some new plan to bring about this most desired result."

## CHAPTER VIII.

THE CONGRESS OF 1778 AND ARTICLES OF CONFEDERATION.—MR.  
LIVINGSTON APPOINTED SECRETARY OF FOREIGN AFFAIRS.

On June 22d, 1778, Congress proceeded to consider the various objections of the States to the Articles of Confederation, and on the 27th day of June a form of ratification was adopted and ordered to be written upon parchment, with the order that it should be signed by those delegates appointed so to do by their respective Legislatures. On the 9th of July, 1778, the delegates of New Hampshire, Rhode Island, Connecticut, New York, Massachusetts, Pennsylvania, Virginia, and South Carolina, signed the articles.

The delegates from New Jersey, Delaware, and Maryland, had not the power to sign given them at that date by their several Legislatures. Georgia and North Carolina were not represented, and the ratification of New York was conditional that all the other States should likewise ratify.

The delegates from North Carolina signed on the 21st day of July, those of Georgia on the 24th day of July, New Jersey on the 26th of November, Delaware on the 22d of February, 1779. Maryland still firmly refused to ratify until the question of the conflicting claims of the Union and of the separate States to the crown lands, should be fully adjusted. This point was finally settled by cessions of the claiming States to the United States, of all the

unsettled and unappropriated lands for the benefit of the whole Union. This cession of the crown lands to the Union originated the territorial system, and the erection of the North Western Territory into a distinct government, similar to the existing States, having a local Legislature of its own.

*A. 63*<sup>x</sup> The insuperable objection of Maryland having been removed by the settlement of this question, her delegates signed the articles of confederation on the 1st day of March, 1781, four years and four months after they were adopted by Congress. By this act of Maryland they became the original law of the Union, and on the 2d of March Congress assembled under the new powers.

A few weeks previous to the final ratification of the articles of confederation, Congress made a new arrangement in the machinery of the civil government. A foreign bureau was established equivalent in its functions to our present Department of State, the head of which was styled, "Secretary of Foreign Affairs." A financial bureau was also established and a Secretary of the Treasury, called Superintendent of Finance, was appointed. Secretaries of War and Marine were also appointed, and under the power of the confederation, new energy was manifested in the management of affairs.

It was in 1781 that Mr. Robert R. Livingston, of New York, was appointed the first Foreign Secretary, and Robert Morris, of Philadelphia, the first Superintendent of Finance. Robert R. Livingston had in his office two under Secretaries, Louis R. Morris, and Peter S. Duponceau, and two Clerks, John Stone, afterwards Governor of Maryland, and Henry Remsen, of New York, to assist him. Reverend Mr. Tetard, of Philadelphia, was the translator.

The office, for the transaction of business, was a building on the eastern side of South-Sixth Street, No. 13, three stories in height, with only twelve feet front. From that humble edifice went forth instructions which arrested the attention of European diplomatists, and turned their minds with astonishment to the rising nation in

the west. This office of Secretary of Foreign Affairs, filled by Robert R. Livingston, was without doubt the most important that could be held under the Confederacy. The Secretary conducted all foreign correspondence, as well as that with the States. Through him passed all instructions to Ministers abroad. It was his duty to prepare plans of treaties, to make reports to Congress, and to lay before them such information as he considered necessary.

This office, after being resigned by Mr. Robert R. Livingston, was afterwards filled by Mr. John Jay. Mr. Livingston resigned, as he had received the appointment of Chancellor of the State of New York. He served as Secretary of Foreign Affairs from 1781 to 1783, when upon retiring from that office he received the thanks of Congress, and an assurance of the high sense they entertained of his ability, zeal, and fidelity, and also the great diligence, promptness, and impartiality, with which he discharged the important trusts reposed in him. The diplomatic correspondence of the revolutionary war may be here referred to as documentary testimony to his cabinet services in our great contest.

Watson, in his "Annals of the City of Philadelphia," thus describes the old building wherein were the offices of the Foreign Secretary. "At No. 13, South-Sixth Street, Philadelphia, stood the ancient edifice, on the premises of the late P. S. Duponceau, Esq., now demolished, and fine stores now occupy the site. It is a house appropriately owned by such a possessor, (Duponceau,) for in it, he who came as a volunteer to join our fortunes and aid our cause, as a Captain under Baron Steuben, became afterward one of the under Secretaries to our Minister of Foreign Affairs, and in that building gave his active and early service. In the year 1782-83, under that humble roof, presided as our then Secretary of Foreign Affairs, the Honorable Robert R. Livingston. Up stairs in the small front room facing the street sat that distinguished personage wielding by his mind and pen the destinies of our



nation. In the adjoining back room sat the two under Secretaries, Louis R. Morris, since Governor of Vermont, and our venerated citizen, Mr. Duponceau. These, having charge of the archives of the nation, preserved them all within the enclosure of a small wooden press. The only room down stairs on the ground floor was that occupied by the two clerks and the interpreter. One of these clerks, Mr. Henry Remsen, was afterward the President of a Bank in New York. Mr. Tetard was the pastor of the French Reformed Church, in Philadelphia. The house at that time was quite beyond the verge of city population, now the site is about the centre of business."

Robert R. Livingston, when appointed Chancellor of the State of New York, in 1783, was the first person who had ever held that office. (There have been five Chancellors of this State up to this date.) He continued in this highest legal distinction in the State until his mission to France in 1801. For his ability and fidelity in the discharge of his judicial duties, I leave it to the learned members of the profession to answer. No published documents record the evidences of his laborious research and accurate discrimination.

But a most distinguished successor of his has asserted, "That the august tribunal whose justice he dispensed, though since covered with a halo of glory, never has boasted a more prompt, more able, or more faithful officer. When at length the valor of our ancestors had borne them successfully through the revolutionary contest, and redeemed those pledges which had been offered on the altar of their country, another and still more arduous task remained. In vain had our patriots moistened the soil with their blood, had our countrymen been left the victims to their own tormenting feuds and passions."

In no public employment involving important deliberations does Chancellor Livingston seem to have been overlooked. He was in the State Commission with Jay and others, relative to the disputed



rights of Massachusetts and New York as to western territory, and when two years later, in 1786, the Convention at Annapolis was proposed for the consideration of some national regulation of trade and commerce, he was appointed a delegate with Hamilton, Benson, and Duane. He was not, however, present at this meeting, more important in its sequel than for what it accomplished. There Hamilton and Madison met together, and out of their joint deliberations with their fellow members, grew the Convention of the succeeding year for the formation of the Constitution. Livingston was not a member of this body, but sat at the State Ratification Convention, where he voted for the adoption.

In 1787, Chancellor Livingston was called upon to deliver the Fourth of July discourse before the New York State Society of the Cincinnati. It is an elegant production, written with warmth and feeling, occupied not with the customary eulogies of the day, but with the consideration of the practical working of the Confederation, which gave birth to the Declaration of Independence.

It was the season, it will be remembered, before the meeting of the Federal Convention, a dark moment of our political history preceding the second dawn—"another morning risen on mid-day." Disappointment he freely admits in respect both to "our internal and Federal Governments; either, to those who are disposed to view only the gloomy side of the picture, will afford sufficient matter for censure, and too much cause for uneasiness. Many desponding spirits, misled by these reflections, have ceased to rejoice in independence, and to doubt whether it is to be considered as a blessing."

Turning from the constitutional methods of government in operation in the States, which he finds to lack only proper consideration on the part of the people, he turns to the Federal Administration. "Nothing presents itself to my view, but a nerveless council, united by imaginary ties,—brooding over ideal decrees,

which caprice or fancy is at pleasure to annul or execute. I see trade languish, public credit expire, and that glory which is not less necessary to the prosperity of a nation than reputation to individuals, a victim to opprobrium and disgrace, and who will deny that the most serious evils daily flow from the debility of our Federal Constitution ?

“Who but owns that we are at this moment colonies, for every purpose but that of internal taxation, to the nation from which we vainly hoped our sword had freed us ? Who but sees with indignation British ministers daily dictating laws for the destruction of our commerce ? Who but laments the ruin of that brave, hardy, and generous race of men, who are necessary for its support ? Who but feels that we are degraded from the rank we ought to hold among the nations of the earth ; despised by some, maltreated by others, and unable to defend ourselves against the cruel depredations of the most contemptible pirates.” (The last allusion is to the Barbary Powers.) He concludes with an appeal to his fellow patriots to reject the trammels of party, and unite their efforts in the common cause.

What noble names were at the head of the Government in those days ; R. R. Livingston, Chancellor ; John Jay, Secretary of Foreign Affairs ; Henry Knox, Secretary of War ; George Clinton, Governor of the State of New York ; Philip Schuyler, Senator ; James Duane, Mayor of New York.

## CHAPTER IX.

## POLITICAL PARTIES, 1783-9, AND FEDERAL CONSTITUTION.

During the period that elapsed between the conclusion of peace in 1783, and the formation of the Constitution in 1787, the question upon which parties in this State were divided was this: What rights have Tories in these States? Shall we Whigs, after seven years of war, deem them yet as our enemies, or as misguided citizens? Shall past ill feelings be kept up, and cherished, or shall the victors say, "Let by-gones be by-gones," and hold out the olive branch and give again the hand of friendship?

The country was thus divided into three parties; first the Tories, who yet seemed to think that England would again try to regain her lost colonies; others who thought they would enjoy the same eminence they had in the colonies before the war, and others who had been disfranchised, now sued for a restoration of their estates. All of the above formed quite a strong party, and were for granting the Tories all the rights and privileges of citizenship.

The second party were the Whigs, who had stood hand and hand together during the long war for independence; had suffered greatly in property destroyed, fortune lost, friends killed and wounded, and had seen that very struggle prolonged by those

same Tories, and had learned to hate a Tory, even more than a British soldier. These men thought, and wisely, that their freedom had been dearly enough purchased, without sharing the benefits derived with the past enemies of freedom.

The third party might be called the Conservative party, or a class of men that did not take the extreme or radical side with either of the foregoing parties, either to punish or pardon, and were for giving the Tories their rights in the country who were sorry or repentant for their past misdeeds. As there were three parties, so likewise, there were three groups of leaders or partisans.

First, there were the Clintons, with Governor George Clinton, of this State, as leader. He had been elected Governor, successively, for eighteen years. He was elected first in 1777. The Clintons at that time were not very numerous or wealthy. DeWitt Clinton, a nephew of the Governor, was a student in Columbia College at that period. The Clintons emigrated to this country in 1719.

The next leaders were the Schuylers and Hamiltons, with General Schuyler, and his son-in-law, General Alexander Hamilton, at the head. The Schuylers and Hamiltons opposed the Clintons. General Schuyler was nominated for Governor against George Clinton, in 1777.

The leaders of the third party were the Livingstons, who were both rich, numerous and influential, and at that time had nine members of the family in public life, politicians, judges, &c., many of whom, as we have seen, were of national celebrity. They, as a family, were more numerous than any family in the State. Of course two of the above parties had to unite to defeat the third.

In 1787 Governor George Clinton, of this State, led the party who opposed ratification of the Constitution. Hamilton, Jay, General Schuyler, and Chancellor Livingston were all strong supporters of the same, and the united action of the Hamiltons, Schuylers and Livingstons, added New York to the States that

had accepted the Constitution. Chancellor Livingston and Alexander Hamilton were the framers of the instrument. \*

The New York Convention accepted the Constitution by a majority of only three out of fifty-seven votes. Yet, after the question was settled, there was a powerful reaction in favor of the Federal party. The feeling became general that as the Constitution had been adopted, it should be supported and tried. The Anti-Federalists were almost annihilated, and it was some years before they regained power.

In the Spring of 1788, the Federal majority in New York city was overwhelming, and considerable in the State. The next year, 1789, George Clinton was again nominated for Governor. The Federalists nominated Judge Yates, but George Clinton, who was much beloved by the people, was elected. Clinton received 6,391 votes, and Yates 5,962; majority for Clinton 429.

The credit is due to this State, for from it emanated the plan of that national compact which binds the States together. In Alexander Hamilton's great mind originated that happy compromise between the rights of sovereigns and of individuals, so ably expounded on a later occasion, by a successor to his reputation and glory, (Daniel Webster, in the U. S. Senate.) The good sense of our people ratified it by their suffrages. Let it not be deemed irrelevant on this occasion if I refer to that excellent series of papers, *The Federalist*, for it may be consulted by the classical scholar for the elegance of its language, and by the statesman as the best vindication extant of the principles of a republican form of government.

We will give a short sketch of the meeting to consider the Constitution, at Poughkeepsie. This State Convention met at the old Van Kleek House, Poughkeepsie, on the 17th of June, 1788. There were fifty-seven delegates present, and George Clinton was President of the meeting. In no State of the Union was more



hostility shown to the Constitution than in the State of New York. In that assembly were gathered some of the most distinguished men of the Revolution, and their debates were most interesting. Its principal advocates, as before stated, were Hamilton, Jay and Livingston; besides those named, at the Convention, were Christopher P. Yates, John Frey and General James Clinton.

The debates were continued for about six weeks with all the talent and address of the distinguished speakers. Opposed to its adoption were George Clinton, Melanethon Smith, John Lansing, General James Clinton. George Clinton stated that in times of trouble and difficulty, men were always in danger of passing to extremes; that while he admitted the confederation to be weak and inefficient, and entirely inadequate for the purposes of Union, he, at the same time feared that the new Constitution, proposed to be adopted, would give too much power to the Federal Government. The sturdy democrat foresaw that powers were conferred upon the Executive of the Union by that Constitution which could be used with almost irresistible force, for good or for evil, and had his life been spared to have witnessed its operation until the close of the first century of its existence, he would have learned that his prophecy to some extent, at least, had become history.

It was under these views that both the Clintons voted in Convention against the unconditional adoption of the present Federal Constitution. They were in favor of a modification, or of only a qualified adoption. However, when the Constitution was adopted and became the law of the land, they both supported and cherished it with their usual decision and energy of character.

Chancellor Livingston was one of the most efficient members and prevailed in effecting its ratification by his native State, thus securing its adoption by the United States. We are now in full enjoyment of its blessings. May no vaulting ambition, on the part of our statesmen, or madness on the part of our people, *again put it in jeopardy for a moment.* It was on the 26th of July that it



was adopted by the majority of three votes in this State. A full account of it and its signers can be found in "Blake's History of Putnam County," page 102-143, inclusive.

James Renwick, in his *Life of Alexander Hamilton*, writes as follows on the meeting of the Convention: "Hamilton was chosen a member of this Convention. He, with all who were committed in its favor, counted no more than ten votes, while its opponents were nearly four times that number, but he had with him Chancellor Livingston and Jay, who were in themselves a host. Upon the opening of the Convention, Chancellor Livingston, who, from high station and long public service deservedly claimed to be placed *in the front of the Federal Party*, moved the consideration of the instrument by sections. The great question of acceptance or rejection, was, by the adoption of this motion, left to the close of the proceedings, instead of being encountered at the beginning.

"In the discussion thus adroitly commenced the majority became committed to the general policy of a more close Union of the States, and the questions were confined to the detail. The opponents of the Constitution thus wasted their strength in the proposal of amendments and changes. Many of these, and a bill of rights among the number, were unobjectionable in themselves, and only to be opposed on the ground that they were in fact unnecessary, as being implied or covered by the common law. It now became a matter of consideration whether they should be adopted by the Federalists with a view of conciliation or opposed. The latter policy prevailed, it being discovered that a ready acquiescence would have caused new grounds of objection to be sought for.

"In the discussions which were thus protracted every occasion was seized by Hamilton to portray with all the powers of his eloquence, the advantages of Union, the dangers of a broken Confederacy, and other evils which would follow in case the Constitution were not adopted. Every means of conciliation and compromise that could be employed, were exhausted, until the majority

was broken into two parties directed by different motives. During the debates the news of the ratification by other States were received in succession, until finally it appeared that the condition upon which the Constitution was to go into effect had been fulfilled, and that New York was likely to be left almost alone if it should refuse to enter into the Federal Union. Finally, after a long and protracted discussion, the Convention of the State *adopted the Constitution unconditionally.*"

## CHAPTER X.

## CHANCELLOR LIVINGSTON AND GEORGE CLINTON ON NEGRO SUFFRAGE.

I will here break off, in our sketch of Chancellor Livingston, to give an account of events at Albany in 1785, to show his opinions, as well as those of George Clinton, on the very important question at this day (1869,) of Negro Suffrage. The following letter was published by the Editors of the New York Evening Post, in an issue published in the year 1867, and is valuable as giving the views of those distinguished men :

*“To the Editors of the Evening Post :*

“It is the object of this communication to show that it was the policy of the New York statesmen who were the contemporaries and coadjutors of Jefferson, to place the Negro, when emancipated, upon the same footing of civil and political rights with the white man. They regarded such a course as the natural and necessary result of the principles laid down in the Declaration of Independence. Such a fact, if substantiated, furnishes a most valuable lesson to those, who, at Albany and Washington are engaged in the business of State and National Reconstruction, and re-arranging the basis of Suffrage. Probably the most distinguished and influential of the statesmen just mentioned were George

Clinton and Robert R. Livingston. They were members of the Continental Congress that severed the connection of this country with Great Britain, and Livingston as well as Jefferson, was appointed on the committee of five to draft the Declaration of Independence.

"The lasting power and practical wisdom of Clinton are well attested by a simple recital of the honors bestowed upon him. He was seven times elected Governor of New York ; throughout the stormy period of the Revolution, and for a long time afterwards, twenty-one years in all, he administered this exalted trust. Still later he was twice elected Vice President of the United States, and for more than a quarter of a century he was the undisputed leader in this State of the party which elevated Jefferson and Madison to the Presidency. Let us now turn to Livingston. For a period of twenty-four years he stood at the head of the Judiciary in New York, occupying the position of Chancellor. When Jefferson first became President he offered Livingston the post of Secretary of the Navy, *which he declined*. Afterwards, at the urgent solicitation of Jefferson, he left the bench and went as Ambassador to France, where he undertook, and successfully accomplished, the task of negotiating the purchase of Louisiana. As a patriot, as a jurist, and diplomatist, as the friend of Robert Fulton in his experiments in steam navigation, and as a patron of agriculture, and the fine arts, his memory will always be honored. What then did these New York statesmen have to say about the subject of Negro Suffrage.

"*Fortunately they have left their opinions upon record* in clear and unmistakable terms, in a document still preserved among the archives at Albany, a copy of which is to be found in full below. After a preliminary statement of the occasion which called it forth in March, 1785, a bill for the gradual abolition of Slavery passed the Legislature. Four years had not then elapsed since the surrender of Cornwallis at Yorktown. The object of the bill, and

the feeling and spirit which prompted its enactment, were fully expressed in the preamble, which ran as follows :

“WHEREAS, It has pleased the Almighty Governor of the Universe graciously to rescue us from that state of unconditional submission to which we were doomed by the councils of Great Britain, and to establish us as a people in all the blessings of peace, liberty and independence, and we are called upon by motives of gratitude for our own deliverance, and of benevolence towards our fellow creatures, to communicate the freedom and happiness which we enjoy, as far as circumstances permit ; and whereas, the condition of those persons denominated Negro and Mulatto Slaves is degrading to human nature, and injurious to society, and cannot consistently with our own duty and interest, or the spirit of our excellent Constitution, be perpetuated ; in order, therefore, to lay a solid foundation, which in due time will utterly abolish slavery within this State, be it enacted, &c.

“The bill then provided that every person born within this State, after its passage, of any Negro, Mulatto, Indian, Mustee, or of any person of any other description whatsoever, commonly reported and deemed a slave, should be taken, deemed and adjudged, to all intents and purposes, to be free-born, but should nevertheless remain in the capacity of an indentured servant with the master or mistress of his or her mother, until the attainment of the age of twenty-five years, if a male, or twenty-two years, if a female. In the next place such master or mistress was required to cause such servant to be taught to read and to write a legible hand, and then on their final discharge to fit them out with good sufficient clothing and a new Bible. The bill contained several articles not necessary here to notice, as they related chiefly to the imposition of penalties for its violation, voluntary manumission, and various other matters of practical detail. It then wound up with the following provisions to which the attention of the reader is specially directed.

"And be it further enacted by the authority aforesaid, that all negroes and those of any description whatsoever, commonly reputed and deemed slaves, shall forever hereafter have the privilege of being tried by a jury, in all capital cases, according to the course of the common law ; and be it further enacted by the authority aforesaid, that no Negro, Mulatto or Mustee, shall have a legal vote in any case whatsoever.'

"This bill never became a law, solely on account of the obnoxious clause just quoted, excluding the colored man from the right of Suffrage. It was rejected by the Council of Revision, consisting of Governor George Clinton, Chancellor Livingston, and Judge Hobart, of the Supreme Court. This Council, under the State Constitution of 1777, then in operation, (the present Federal Constitution had not yet been framed,) was vested with the veto powers now exercised by the Governor alone. The proceedings of the Council and its objections to the bill are given in full, as follows :

"CITY OF NEW YORK, March 21st, 1785.

"Present, Governor Clinton ; Livingston, Chancellor ; Hobart, Justice. A bill entitled an act for the gradual abolition of Slavery within this State was before the Council, which adopted the following objections, reported by Chancellor Livingston, viz :

1st. Because the last clause of the bill enacts that no Negro, Mulatto, or Mustee, shall have a legal vote in any case whatsoever, which implicatively excludes people of this description from all share in the Legislature, and those offices in which a vote may be necessary, as well as from the important privilege of electing those by whom they are to be governed. The bill having in other instances placed the children that shall be born of slaves in the rank of citizens, agreeable both to the letter and spirit of the Constitution, they are as such entitled to all the privileges of citizens ; nor can they be deprived of these essential rights without shocking those principles of equal liberty which every page in that Constitution labors to enforce.



2d. Because it holds up a doctrine which is repugnant to the principles on which the United States justify their separation from Great Britain, and either enacts what is wrong, or supposes that those may rightfully be charged with the burdens of government, who have no representative share in imposing them. \* \* \*

3d. Because this class of disfranchised and discontented citizens, who, at some future period may be both numerous and wealthy, may under the direction of ambitious and factious leaders, become dangerous to the State, and effect the ruin of a Constitution whose benefits they are not permitted to enjoy. \* \* \*

4th. Because the creation of an order of citizens who are to have no legislative or representative share in the government necessarily lays the foundation of an aristocracy of the most dangerous and malignant kind, rendering power permanent and hereditary in the hands of those persons who deduce their origin through white ancestors only, though these at some future period should not amount to a fiftieth part of the people. That this is not a chimerical supposition will be apparent to those who reflect that the term Mustee is indefinite; that the desire of power will induce those who possess it to exclude competitors by extending it as far as possible; that supposing it to extend to the seventeenth generation, every man will have the blood of many more than two hundred thousand ancestors running in his veins, and that if any of these should have been colored, his posterity will, by the operation of this law, be disfranchised; so that if only one thousandth part of the black inhabitants now in the State, should intermarry with the white, their posterity will amount to so many millions that it will be difficult to suppose a fiftieth part of the people born within this State two hundred years hence, who may be entitled to share in the benefits which our excellent Constitution intended to secure to every free inhabitant of the State. \* \*

5th. Because the last clause of the bill being general, deprives those Black, Mulatto, and Mustee citizens, who have heretofore

been entitled to a vote, of this essential privilege, and under the idea of political expediency, without their having been charged with any offence, disfranchises them in direct violation of the established rules of justice, against the letter and spirit of the Constitution, and tends to support a doctrine which is inconsistent with the most obvious principles of government, that the Legislature may arbitrarily dispose of the dearest rights of their constituents.'

These words need no comment. They come down to us from Clinton and Livingston like an oracle from above. To the honest conservative they will serve as a precedent established eighty years ago. To the honest radical they will stand as the reason for the faith that is in him. To the doctrine that Negro Suffrage is a dangerous innovation, a freak of political modern philanthropy, they ought to prove an effectual antidote. To democracy they convey rebuke administered by those of whom it pretends to be follower and disciple."

Signed,

H. H.

## CHAPTER XI.

## CHANCELLOR LIVINGSTON'S INTEREST IN AGRICULTURE.

Chancellor Livingston, says a contemporary, "was a very useful and benevolent man, a scholar of profound erudition, an ardent patriot, and a prompt and decided promoter of all the essential interests of the country." He took special interest in improvements in Agriculture and Manufactures, and upon his return to the United States from an embassy to France, at the beginning of the present century, he introduced into this country some of the finest specimens of Merino Sheep, from the celebrated flock of Rambouillet, in France. As early as 1812 it was estimated that there were in the United States at least 60,000 descendants of this Clermont flock of the Chancellor's, of which about 1,000 were at Clermont.

The Chancellor wrote a small book on Sheep in America. His agricultural labors are worthy of special mention. He was corresponding member of the Agricultural Society of the Seine, and honorary member of the Agricultural Society of Dutchess County. He took a great interest in the cultivation of fruit trees and in raising the finest specimens of fruit of the time, known in this country. In 1787 he wrote a letter to Governor William Livings-

ton, of New Jersey, on the cultivation of plum trees. The letter I here introduce ; it speaks for itself :

“CLERMONT, Nov. 15th, 1787.

“DEAR SIR :—Having been informed that you are not successful in raising the green gage plumb, I send you two trees from a stock that is remarkably hardy. I have now about twenty bearing trees, none of which are grafted, but are the offspring of one that was raised from the stone, the shoots of which have furnished some hundred trees, as those I now send you will do, if planted in a loose soil. The general complaint is that the fruit drops without ripening. I do not find this to be the case with mine. I cannot help thinking that these trees in most instances suffer in common with a higher order of being, from the ignorance of their physicians, who insist upon it that this disorder arises from too great a quantity of sap, or in other words from too much health, and accordingly direct spare regimen, planting them in stiff sods, where they feed with difficulty ; and lest they should not suffer enough from this, they cut their roots, choke them with stones, bind their bodies with bandages, and even go so far as to beat them, as if they believed the fruit of this tree like that of religion, the offspring of mortification. I have never yet heard that these prescriptions have been attended with success, and as they probably never will, it might not be amiss for the college to alter them. Except man, I know of no animal that suffers from plethora, nor would he, unless luxury had provoked his appetite to exceed its natural bounds ; all others acquire additional health and vigor from plenty of food. The same holds good of vegetables, whose seed and fruit are most perfect when a sufficiency of food is afforded them.

“The plumb is in no soil a very luxuriant tree ; its growth is slow, and when it begins to bear it is generally very heavily laden ; as the fruit grows large it makes a demand upon the roots for more sap than they can readily furnish, more especially as the droughts prevail at the very time this requisition is made. The

circulation thus becoming more languid, the fruit withers and drops for want of nourishment. If this theory is just, the remedy must be the reverse of that usually prescribed. I have accordingly planted most of my plumbs in the richest part of my garden, (the natural soil of which is a light loam, upon a sharp sand.) The ground about them has been annually manured and dug. My trees scarce ever fail to ripen as much fruit as they can bear, and indeed this year though carefully propped many branches broke with its weight. I have some plumbs of different kinds, on a hard clay, which neither yield so much nor such good fruit as those in my garden, besides they take twice the time before they begin to bear. This convinces me that my theory is right, and has induced me to enlarge upon, in hopes, if it should not interfere with some system of your own, that it may be useful to you, and your friends. "I am, dear sir, with great respect and esteem

"Your most obedient humble servant,

"ROBERT R. LIVINGSTON."

The Chancellor was exceedingly fond of trying experiments in Horticulture and Agriculture, and was also fond of a good joke on any subject. He had read somewhere, and wished to try the experiment himself, that corn-cobs ground up were good feed for cattle, and he determined to give it a fair trial. He one day therefore ordered his man to take a load of cobs to the nearest grist mill and have them ground fine. The load was sent off, and the man returned and said to the Chancellor, that the miller wanted to know what pay he was to receive for grinding the cobs. "Oh," replied the ready Chancellor, "tell him to take out his customary toll." As this was the usual custom for millers to be paid for grinding, the miller could find no fault with his own rules, much, this time, to his own chagrin.

As we are now in the line of anecdote we will relate another of the Chancellor. He was what is often called a very absent man, and was exceedingly fond of shooting, when he had any leisure to

devote to this amusement. He frequently used to take his gun and dog, and with a boy to hold the horse, would drive back in the country in an old fashioned gig, to some low, swampy thicket of brushwood for game. One day he went out as above, and having shot one bird put it in his coat pocket, and as game was not plenty that day, returned home, changed his coat and hung the coat he had been wearing, with the bird in the pocket, up in the closet. Some days after the family could not conceive what made the air of the house near the closet so disagreeable, particularly on the side near the Chancellor's coat. The coat was removed, as well as all in the closet, to give them a good airing and shaking out, when all the source of the trouble was discovered by the tail of the bird appearing out of the Chancellor's coat pocket.

Another anecdote is related of the Chancellor, by one of his grandsons. A certain Mr. Briggs, of Bristol, (now called Malden,) opposite the Clermont Manor House, applied personally to the Chancellor, to allow him to carry passengers from Bristol to the Manor dock, to meet the New York and Albany boats, (the then floating palaces of the Hudson.) His ferry consisted of a large row boat. The Chancellor gave his consent, and thought no more of the matter until some days after the above interview, he chanced to be taking a stroll down to his dock, when what was his surprise to behold a sign placed upon an upright pole by the side of the dock. He hastened his pace to read it, when he found it contained the following announcement: "*Briggs' Ferry to Bristol.*" It is needless to add that, as the Chancellor considered this decidedly cool, Mr. Briggs' sign soon disappeared from view and was one of the signs of the times that passed into oblivion.

One of the last efforts of the Chancellor's pen was a paper on Agriculture. In this spirited essay he vindicated the soil, climate, and capabilities of his native country. He showed the value of agricultural connections between agriculture and manufactures. The inherent fertility, and the indigenous resources of



the country are the themes of his admiration and eulogy. He was among the earliest with Judge Peters to employ gypsum as the means of fertilizing soil, and the introduction of clover and a better breed of domestic cattle attest his vigilant and enlightened zeal. He was also a great believer in drainage, as some of the large open drains (I might almost say canals), to this day certify on the old Manor farm of Clermont, which stand as living monuments of the Chancellor. He was one of the few men that find amid the turmoil and strife of political life, time to look after the home life, home pursuits and ennobling pleasures of agriculture, "that most healthy, most useful, and most noble employment of man."

## CHAPTER XII.

CORRESPONDENCE BETWEEN CHANCELLOR LIVINGSTON AND THE HON.  
JOHN JAY.

This Chapter we devote to letters between those two warm friends, Chancellor Livingston and John Jay. These letters show the depth of their friendship, as well as, touching upon the news of the day, give the style of letter writing of that period; all of which will be found valuable and interesting :

[From R. R. Livingston.]

"CLAREMONT, 20th March, 1776.

"DEAR JOHN :—Your letters of 26th Jan., 25th Feb., and 4th inst., are all before me. They are written with so much friendship and affection as to afford me great consolation, and convince me, notwithstanding my heavy losses, that in you I have more left than falls to the lot of most of my fellow mortals. May the blessing be continued to me, and I know how to value it. I sympathise most sincerely with you in your melancholy apprehensions about your parents. I know and I can feel such a loss; but you draw your consolations from a never-failing source, which will enable you to bear this misfortune, whenever it shall happen, with that resignation to the will of Heaven which becomes one who is satisfied both of its wisdom and goodness. If we could shake off

human frailty in the hour of affliction, we should certainly think it less reasonable to lament the death of a good man than to complain of the absence of a friend, who by that absence infinitely increases his happiness. To wish them back is selfish and unworthy of true friendship; and yet we may, we must grieve when we are not permitted to take leave. It is, I am sensible, a weakness, but I cannot help suffering myself to be afflicted at this circumstance. I know the pleasure that the best of fathers always took in my company and conversation, and when I indulge the thought I am unhappy that by my absence I lessened any of his enjoyment. But where am I running? God bless you—farewell.

“Your friend,

“ROBT. R. LIVINGSTON.”

[From R. R. Livingston.]

“PHILADELPHIA, 21st May, 1776.

“DEAR JOHN:—I am much mortified at not hearing from you. I wrote to you last week, and am just now setting out for Bristol, in order to meet Mrs. Livingston. I could wish to meet Mrs. Jay there also. Pray send some of our colleagues along, otherwise I must be more confined than either my health or inclination will allow. You have doubtless seen the account brought by the *Rifleman* from London, by which it appears we shall have at least 34,000 Commissioners. If your Congress have any spirit, they will at least build fourteen or fifteen light boats, capable of carrying a twelve-pounder, to secure Hudson River, which is to be the chief scene of action. The carpenters employed on the frigate would build two or three a day, if they were built in the manner of batteaux, which is the true construction. I wish you would direct Gaine to send me his paper. God bless you.

“Yours most sincerely,

“R. R. LIVINGSTON.”

[To R. R. Livingston.]

"NEW YORK, 29th May, 1776.

"DEAR ROBERT :—The pleasure I expected from a junction of all our families at Bristol has vanished. Dr. Bard tells me the waters there would be injurious to Mrs. Jay's complaints, so that I shall again take a solitary ride to Philadelphia, whenever the Convention, who directed me to abide here until their further order, shall think proper to dismiss me. Messrs. Alsop and Lewis set out next Saturday for Philadelphia. Mr. Duane informs me that he is about to return home, and considering how long he has been absent from his family, I think him entitled to that indulgence. I pray God that your health may enable you to attend constantly, at least until it may be in my power to relieve you. Is Mr. Clinton returned? Our Convention will, I believe, institute a better government than the present, which, in my opinion, will no longer work anything but mischief; and although the measure of obtaining authority by instructions may have its advocates, I have reason to think that such a resolution will be taken as will open a door to the election of new or additional members. But be the resolution what it may, you shall have the earliest advice of it, and should my conjectures prove right, I shall inform the members of Dutchess of your readiness to serve, and advise them to elect you. Don't be uneasy at receiving so few letters from me. I have been so distressed by the ill health of my wife and parents, that I have scarce written anything. I am, dear Robert,

[ ] "Your affectionate friend,

"JOHN JAY."

[From R. R. Livingston.]

"KINGSTON, 6th October, 1779.

"DEAR JOHN :—I have just now heard that you are on the point of leaving us. I might have expected to have received this intelligence from yourself, rather than from loose report, since there is

scarce a transaction in the world in which I feel myself more interested. I rejoice at it, as it advances your fortune and reputation. I lament it, as it adds to the losses I have already felt in the course of this war, that of a friend whom I had sense enough to value, even before age had ripened my judgment, and whom an after acquaintance with the world has taught me to think inestimable. I call it a loss, for I have but little prospect of seeing you here again. You will now move in an enlarged sphere, and will hardly think of re-crossing the Atlantic till the blood runs too slowly in our veins to keep up the ardour of friendship. I was going to give you a long detail of State politics, but they are now unworthy your attention. Besides that, I by no means feel myself disposed at this moment to view them in any other than the most contemptible light, or to execrate them for detaining me here, when I so ardently wish to receive your last adieu. When do you embark, and where? If from Boston, tell me when to meet you at Fishkill, and perhaps, (if the Legislature adjourns,) to accompany you. If this pleasure is denied me, believe that you, and yours, are attended by every tender wish which the sincerest friendship can dictate. I will not wrong you so much as to ask you to omit no occasion of lessening the pain I feel in your absence by writing to me by every conveyance. Your own heart has and will forever suggest that thought. Adieu, my dear John.

“May you be as happy as I wish you.

“R. R. LIVINGSTON.”

[From Robert R. Livingston.]

“PHILADELPHIA, 26th August, 1780.

“DEAR JOHN :—I received yours of the 23d May, from Madrid, with duplicates thereof, and the letters you wrote from Cadiz and Martinique. Your remembrance of the pleasurable days of our youth, and the scenes in which we mutually bore our parts, together with the attractions which this country still has for you, afford us the most pleasing hope that neither time nor absence will

weaken a friendship which has so long stood the test of both. This indeed I expected from the steadiness of your temper, but I must confess that I had little hope that your early return would afford me a prospect of deriving that consolation from it, in the decline of life, to which I looked, even while it directed the pursuits and animated the pleasures of youth. You mistake your own heart when you say you are unambitious, and without the assurance contained in your letter, I should have believed that the love of glory would have always kept you in the line in which you now are, more especially as the general satisfaction that your appointment and conduct since has given, renders it the wish of everybody, less interested in your return than I am, to keep you abroad.

“I have not been able to procure at this place the key to the cipher that you directed me to, though I believe I have it at home. Besides that, it is very intricate and troublesome. I shall therefore be obliged to confine what I have to say to mere common occurrences. I enclose you a cipher which is very simple and not to be deciphered while the key is concealed, as the same figure represents a variety of letters. In order that you may know whether it comes safely to hand, I have in this letter used the precaution mentioned in yours. Nothing astonishes me more than the confidence with which the British ministry and their dependants assert that America sighs to return to their government, since the fact is that we never were more determined in opposition, nor, if we except the derangement of our finances, (which the loan of half a million would re-establish, if remitted in specie or merchandise,) were we ever so capable of resistance. Our crops are uncommonly fine, and the militia of every State north and east of Delaware is armed, disciplined and inured to the duties of a camp. The southern militia are now at school, and I have no doubt will improve by the lessons they receive from the enemy. Our friend Smith, who has probably contributed to this ministerial madness, uninstructed by his repeated disappointments from the beginning of the war, is said to have advised



Kniphausen to erect the royal standard in the Jerseys before General Clinton returned from Charleston, persuaded that our troops, and particularly the militia would flock to it, and thus he have the honor of reducing the country without sharing it with Clinton. He accordingly came over with great parade with his whole force, scattering exaggerated accounts in printed hand-bills of the loss of Charleston, which, instead of discouraging, only animated the militia. They were all in motion upon the first alarm and, though opposed only by them, and less than a thousand Continental troops, he was disgracefully driven out, with the loss of 500 men killed, wounded and taken, after having penetrated ten miles from the shore and done us no other injury than the burning of a few houses and the abuse and murder of some women; since which they have been more cautious and less sanguine. Adieu; remember my compliments to the Colonel and Mr. Carmichael.

"I am, dear John, most sincerely yours,

"ROBERT R. LIVINGSTON."

[John Jay to Robert R. Livingston.]

"PARIS, 13th August, 1782.

"DEAR ROBERT :—Almost ever since my arrival here I have had, and still have, a sick family. The epidemic disorder, which has spread through the northern part of Europe, has been severe upon us. [I am free from it at present, but it has taken from me some flesh and much strength. Mrs. Jay has frequent attacks of an irregular intermitting fever, and our little girl is not yet wholly out of danger. Your letter of the 22d May, and the one enclosed with it, from your good mother, contain the first advices I received of my father's death. My last letter from Frederick was an earlier date. That intelligence was not unexpected. I wish I had been with him; but it is a temporary separation, and I am resigned. It has added to the number of my inducements to walk in his steps, and thereby arrive at the same home. I feel very sensibly for Peter and Nancy. They are ever in my thoughts. I thank

you sincerely for becoming my agent. Dr. Franklin had paid me nine months salary a few days before your letters arrived, and too great a part of it was pre-engaged to admit of my repaying it, and waiting for bills. I must request the favor of you to pay twenty pounds York money to Miss Kitty Livingston, on account of my little boy, and one hundred and fifty pounds like money to Frederick, Peter, and Nancy—to each fifty pounds. Arrange this through Mr. Benson. I hear my father has given some of the servants free, and that some other of the older ones have been put out. Old servants are sometimes neglected. Desire Mr. Benson to keep an eye over them, and not let any of them want; and for that purpose, place fifty pounds in his hands, which he will apply according to his discretion, as necessity may from time to time require. He must also reimburse himself for any expenses he may be at, on this account. I should write to him also on this subject, but have neither health nor time, having at present a violent headache, and a little fever, and my letter must be sent to the Marquis de LaFayette's this evening.

“Adieu my friend. Yours, &c.,

“JOHN JAY.”

[From Robert R. Livingston.]

“NEW YORK, 29th Nov., 1783.

“DEAR JOHN :—I am two letters in your debt, and am conscious that I shall make an ill-return for them in offering you this product of a midnight hour, after a day spent in the fatigue of business and ceremony that our present situation exacts. But having just been informed by Mr. Platt that he sails to-morrow morning, I cannot permit him to go without offering you my congratulations on an event which you have so greatly contributed to bring about, the evacuation of this city by the British on Tuesday last. Our enemies are hardly more astonished than we are ourselves, and than you will be, when you hear that we have been five days in town without the smallest disturbance; that the most

obnoxious royalists that had sufficient confidence in our clemency to stay, had not met the least insult. Their shops were opened the day after we came in, and Rivington himself goes on as usual. The State of New York *Gazette* is as well received, as if he had never been printer to the King's most excellent majesty. So that your friends in Europe will find their apprehension ill-founded, and that the race of Tories will not, after all, be totally extinct in America. Perhaps by good training, and by crossing the breed frequently, (as they are very tame,) they may be rendered useful animals, in a few generations. I thank you for your prints of the air balls; but wish to have some fuller account of their composition, and the use proposed to be made of them. As an architect, I cannot but be curious about the first castles in the air that promise to have some stable use. Receive my congratulations on the birth of your daughter, and make my compliments to Mrs. Jay on the occasion. I had hardly finished the last line, when I was alarmed by a very loud rumbling noise, accompanied by a quick tremulous motion of the earth. The family are too much alarmed to permit me to add more. Adieu.

“R. R. LIVINGSTON.”

[From Robert R. Livingston.]

“NEW YORK, 25th January, 1784.

“DEAR JOHN:—The quiet which in my last I mentioned to have prevailed here still continues with very few interruptions, though the imprudence of the Tories has, in some instances, given disgust to the warm Whigs, particularly in a contest for the government of the church corporation, to the exclusion of those out of the lines, and in appointing Mr. Moore, Rector, in order to fill the church a few days before we came in. The Legislature have interposed, and the government of the church is transferred to the Whigs. Our parties are, first, the Tories, who still hope for power, under the idea that the remembrance of the past should be lost, though they daily keep it up by their avowed attachment to Great

Britain. Secondly, the violent Whigs, who are for expelling the Tories from the State, in hopes by that means to preserve the power in their own hands. The third are those who wish to suppress all violences, to soften the rigour of the laws against the royalists, and not to banish them from that social intercourse which may by degrees obliterate the remembrance of past misdeeds; but who, at the same time, are not willing to shock the feelings of the virtuous citizens that have at every expense and hazard fulfilled their duty, by at once destroying all distinction between them and the royalists, and giving the reins into the hands of the latter; but who, at the same time, wish that this distinction should rather be found in the sentiments of the people, than marked out by the laws. You will judge to which of these parties the disqualifications contained in our election bill has given the representation, when I tell you that the members for this city are Lambs, Harper, Sears, Van Zant, Mallone, Rutgers, Hughes, Stag and Willet. I must however do all parties the justice to say that they profess the highest respect for the laws, and that, if we except one or two persons, they have as yet by no act contradicted that profession. We are very angry here with Great Britain on account of her West India restrictions, (from which, by the bye, they suffer greatly,) and are fulminating resolutions to prohibit all intercourse with her, which I think will probably be the case ere long. Thus have I given you a sketch of our politics, which will only be interesting to you if, as I sincerely hope, you mean soon to return to us. Politics has extended this letter to such an unreasonable length that I dare not hazard a subject, nearer my heart than either, but must at this time confine all its dictates to simple assurances of the firm and tender affection, with which I am, and ever shall be,

“Dear John, your friend,

“ROBERT R. LIVINGSTON.”

[From R. R. Livingston.]

"CLAREMONT, 30th July, 1784.

"Permit me, my dear friend, to congratulate you on your return to your native shore, and to the friendly embraces of those who love you in every situation in which you have been or can be placed. My impatience to see you led me to New York about three weeks since, where, from the time you had set for sailing, I thought it probable that you must have arrived before this. An unfortunate accident which has happened to my eldest daughter, who a few days ago broke her arm, obliges me to send you these cold expressions of my friendship, rather than comply with my wishes in offering them and receiving yours in person. Having, as I hope, concluded my political career, I have no other wish left but that of spending the remainder of my life with those who have contributed so much to the happiness of its gayest period. Whether you entertain the same moderate wishes, whether you content yourself with the politics of this State, or whether you will engage in the great field which Congress has again opened to you, I shall still have the consolation to reflect that seas do not roll between us, that I may sometimes see you and frequently hear from you. If you are not cured of your ambition, you have everything to hope for, both in the State and Continental line. I need not tell you that I only wish to know your objects that I may concur in them.

"Believe me, dear John,

"Most sincerely and warmly your friend,

"R. R. LIVINGSTON."

[To R. R. Livingston.]

"NEW YORK, 18th August, 1784.

"Your kind letter of 30th ult. was delivered to me yesterday by Mr. Lewis. I thank you very sincerely for your friendly congratulations on my return, and assure you that among the pleasures I



have long promised myself from it, that of renewing our former intercourse and correspondence is not the least. I lament the unfortunate accident which has happened to your oldest daughter, and which has deprived me of the satisfaction of meeting you here. I have had, and have, so many applications about papers and business, respecting causes in which I was formerly concerned, that I shall be obliged to pass a fortnight or three weeks here. When it will be in my power to pay you a visit, is uncertain. I consider it as a pleasure to come, and shall endeavor to realize it as soon as possible. When I resigned my appointment in Europe I purposed to return to the practice of the law; what effect the unexpected offer of Congress, (of which I was ignorant until after my arrival here,) may have on that design as yet remains undecided. How far either of us have been or may be under the influence of ambition, are questions which, however clear to ourselves, must necessarily be less so to others.

“Present my affectionate compliments to your mother, and Mrs. Livingston. Remember me to all the family,

“Yours, sincerely,

“JOHN JAY.”



## CHAPTER XIII.

## INAUGURATION OF WASHINGTON IN 1789, &amp;c.

We now arrive at the period of the most important event in the eventful life of Chancellor Livingston, which is the inauguration of Washington as the first President of the United States. It was on the first Wednesday in February, 1789, that the Presidential Electors were chosen, and on the first Wednesday in March, they met to vote for the first President. General Washington received the unanimous vote of the College, and probably without a dissenting voice in the whole nation. John Adams was chosen Vice-President. The intelligence of his election being communicated to Washington, at Mount Vernon, on the 16th of April.

Washington soon afterward proceeded to New York, the seat of the general government. His journey to that city was one continued triumphal march. Addresses and crowds met him at every place. So great were the honors with which he was loaded, that they could scarcely have failed to produce a self-haughtiness in most men. But not so with our Washington; he was both great and humble. On arriving at Philadelphia he was received with distinguished honors. The bridge, across the Schuylkill, was highly decorated with laurel wreaths, and at each end were triumphal arches of evergreens. As he passed the bridge a civic

crown was let down from above, upon his head, and at that moment a loud shout arose from nearly twenty thousand people who lined the avenues.

At Trenton he was met by a deputation of the members of Congress, and the highest honors were paid to him. On the brow of a hill, near Trenton, a triumphal arch was erected under the direction of the ladies of that place. The crown of the arch was decorated with laurels and flowers, and on it was displayed, in large characters, "December 1776," the month of the year in which the battle of Trenton took place. On the sweep of the arch was this inscription: "The defender of the mothers will also protect the daughters." On one side of this arch a row of young girls, dressed in white, with baskets of flowers in their hands, stood awaiting his approach. As he passed under the arch the young girls sang the following ode, at the same time strewing his path with flowers:

"Welcome mighty chief once more,  
Welcome to this grateful shore ;  
Now no mercenary foe,  
Aims again the fatal blow.  
Virgins fair, and Matrons grave,  
These thy conquering arm did save.  
Build for thee triumphal bowers,  
Strew, ye fair, his way with flowers,  
Strew your Hero's way with flowers."

At Elizabethtown point he embarked in an elegant barge, rowed by thirteen men, and as he passed the shipping in the bay the vessels manned the yards and showed colors. He was received at the dock in New York by Governor Clinton and other distinguished persons, and a vast concourse of people, and in the evening the houses of all who were not Tories, were brilliantly illuminated. Old Federal Hall, where the inauguration took place, stood upon the site where the present Sub-Treasury of the United States now stands, corner of Wall and Nassau Streets, and facing

Broad Street. It was erected at the beginning of the last century. Its upper part projected over the sidewalk and formed an arcade. Some apartments within the building were used as jails, the provost prison of the Revolution.

I cannot better describe the inauguration ceremony than in the words of Washington Irving, in his life of Washington ; he gives the most clear description of the scene of any that I have read. It is as follows : "The inauguration took place on the 30th day of April, 1789. At nine o'clock in the morning there was religious services in all the churches, and prayers put up for the blessing of Heaven on the new government. At twelve o'clock the city troops paraded before Washington's door, and soon after the committees of Congress, and heads of Departments, came in their carriages. At half-past twelve the procession moved forward, preceded by the troops ; next came the Committees, and heads of Departments, in their carriages ; then Washington, in a coach of State, his Aide-de-camp, Colonel Humphreys, and his Secretary, Mr. Lear, in his own carriage. The Foreign Ministers and a large train of citizens brought up the rear.

"About two hundred yards before reaching Federal Hall, Washington and his suite alighted from their carriages and passed through the troops, who were drawn up on each side, into the Hall and Senate Chamber, where the Vice-President, the Senate, and House of Representatives were assembled. The Vice President, John Adams, recently inaugurated, advanced and conducted Washington to the Chair of State, at the upper end of the room ; a solemn silence prevailed, when the Vice-President rose and informed him that all things were prepared for him to take the oath of office required by the Constitution. The oath was to be administered by Chancellor Livingston, of the State of New York, on a balcony in front of the Senate Chamber, and in full view of an immense multitude occupying the street, the windows and even roofs of the adjacent houses,

“The balcony formed a kind of open recess, with lofty columns supporting the roof. In the centre was a table with a covering of crimson velvet, upon which lay a superbly bound Bible on a crimson velvet cushion. This was all the paraphernalia for the august scene. All eyes were fixed upon the balcony, when at the appointed hour Washington made his appearance, accompanied by various public functionaries, and members of the Senate and House of Representatives. He was clad in a full suit of dark brown cloth, brown coat of American manufacture, with a steel hilted dress sword, white silk stockings and silver shoe buckles. His hair was dressed and powdered in the fashion of the day, and worn in a bag and solitaire. His entrance upon the balcony was hailed by universal shouts; he was evidently moved by this demonstration of public affection. Advancing to the front of the balcony, he laid his hand upon his heart, bowed several times and then retreated to an arm chair near the table. The populace appeared to understand that the scene had overcome him; and were hushed at once into profound silence. After a few moments Washington rose and again came forward. John Adams, the Vice-President, stood on his right; on his left the Chancellor of the State, Robert R. Livingston; somewhat in the rear were Roger Sherman, Alexander Hamilton, Generals Knox and St. Clair, the Baron Steuben and others.

“The Chancellor advanced to administer the oath prescribed by the Constitution, and Mr. Otis, the Secretary of the Senate, held up the Bible on its crimson cushion. The oath was read slowly and distinctly, Washington at the same time laying his hand on the open Bible; when it was concluded he replied solemnly: ‘I swear, so help me God.’ Mr. Otis would have raised the Bible to his lips, but he bowed down reverently and kissed it. The Chancellor now stepped forward, waved his hand, and exclaimed: ‘Long live George Washington, President of the United States.’ At this moment a flag was displayed on the cupola of the Hall, on which signal there was a general discharge of artillery on the

battery; all the bells of the city rang out a joyful peal, and the multitude rent the air with their exclamations. Washington again bowed to the people and returned into the Senate Chamber, where he delivered to both Houses of Congress his inaugural address, characterized by his usual modesty, moderation and good sense, but uttered with a voice deep, slightly tremulous, and so low as to demand close attention in the listeners. After this he proceeded with the whole assemblage, on foot, to St. Paul's Church, where prayers, suited to the occasion, were read by Dr. Prevost, Bishop of the Protestant Episcopal Church, in New York, who had been appointed by the Senate one of the chaplains of Congress. So closed the ceremonies of the inauguration. The whole day was one of sincere rejoicing, and in the evening were brilliant illuminations and fire works."

"The above," writes Lossing, the Historian, "was the crowning act of the war of Independence. By this act the foundation of a mighty State was laid, the corner stone of a great temple of *Universal Freedom*\* was implanted, the *divine truth of man's equality* was vindicated, and the dawn of a glorious era broke upon the world."

As soon as Washington had assumed the Presidency, he requested the heads of the various departments of the government, as it was then carried on, the Secretary of State, the Secretary of War, the Secretary of Foreign Affairs, and the Secretary of the Treasury, to draw up an elaborate report, each of the affairs of his own department. These reports Washington read and condensed with his own hand, and at the same time he perused with care the whole of the official records, from the treaty of peace down to his own election to the Presidency, making an abridgment of them for his own use. Thus he acquired a thorough understanding of the condition of the nation over which he presided. We have

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\*We may now indeed say (1869,) that our country is free, for Universal Freedom reigns throughout our land, and we now have the *re-gilded Stars without the Stripes*. Thanks to the Proclamation of Emancipation of that immortal champion of Freedom, LINCOLN, "Jehovah has indeed triumphed, His people are free."



read in the life of Washington, that while Commander-in-Chief of the Armies, he exercised a vigilant superintendence over his own private affairs, and this superintendence he continued to exert while burdened with the cares of civil government. Every week he received accurate reports from the manager he had left in charge of Mount Vernon, these reports being drawn up according to a form, which he had himself prepared. In this way he perceived what was going on at Mount Vernon, almost as distinctly as if he had been on the spot; and once a week at least he wrote a letter of directions to his manager in reply to the reports received. So laboriously accurate was he that this letter of directions was usually copied from a rough draft.

It is another proof of the extreme interest which Washington, like Chancellor Livingston, took in agricultural pursuits, that, during his presidency he kept up a correspondence with the most skillful agriculturists, both in Europe and America, exchanging his ideas on the subject with them. For it is the interchange of thought for thought that forms the cultivated mind, and also the cultivated field. At first there was no established etiquette at Washington's *Republican Court*, as to the times when he should receive visitors, and the consequence was that he had to receive them at all times, from morning till night, just as they pleased to come. To put a stop to this torrent of people it was arranged that Washington should receive ordinary visitors on Tuesdays only, from three to four o'clock, while Mrs. Washington, in like manner, received visitors on Fridays, from three to five o'clock, the President being always present at her levees.

He never accepted any invitations to dinner, but every day, except Sunday, he invited to his own table a number of guests, official persons, private friends, or foreigners who were introduced to him. On Sundays he received no company. In the morning he regularly attended church, and the evening he spent in the society of his own family and such intimate friends as were privi-



leged to drop in. During the first year of Washington's Presidency his mother died at the age of eighty-two.

The first session of Congress, under his Presidency, was spent in organizing the several departments of the Executive. Washington, as President, nominated the heads of those departments. The celebrated Thomas Jefferson, he appointed Secretary of State, Alexander Hamilton, whose political opinions were considerably less democratic than Jefferson's was named Secretary of the Treasury, Henry Knox was continued in the office of Secretary of War, Edward Randolph, was made Attorney General, and John Jay Chief Justice. These appointments reflected great credit on Washington's sagacity and impartiality. It is impossible, in this short sketch, to give the history of Washington's Presidency; suffice it to say, that the same talents and probity which had characterized him hitherto appeared conspicuously in the discharge of the new duties which now fell to his lot.

In nothing was his ability more manifest, than in the manner in which he maintained the balance between the two political parties, into which his own cabinet and the nation generally split. The Federal party, whose aim was to strengthen the central authority, and the Democratic party, whose aim was to increase the power of the citizens in their local Courts and in the separate State Legislatures. The head of the Republican, (afterwards called the Democratic party,) was Jefferson. Washington personally inclined to the former party, but as President he made it his object to make the different elements work as harmoniously as possible. It was impossible, however, to prevent the parties from diverging more and more, and as Washington's term of Presidency was drawing to a close, fears began to be entertained of the consequences which might result from such division of opinion. The nation had not yet been consolidated, and a struggle between the Federal and Republican parties might produce the most disastrous effects.

The only means of preventing such a calamity was the re-election of Washington for another term of four years. Accordingly all his friends and the members of his cabinet earnestly solicited him to allow himself to be re-elected. With considerable reluctance Washington yielded to these solicitations and suffered himself to be re-elected. The time of his re-election was just that period when the French Revolution was at its height, and it required all of Washington's skill and strength of purpose, to prevent the United States from being drawn into the vortex of a European war. But although he succeeded in preserving the neutrality of the States, there were many citizens who sympathised with the French Revolutionists.

The Republican party, with Jefferson at its head, was gaining ground. So vehement did the struggle between the two parties become, towards the end of Washington's second Presidency, that even he did not escape the attacks of calumny, and the accusations of an excited public. So disturbed was the state of political opinion in the Union that many were anxious that Washington should for a third time accept the office of President, but against this proposal he was resolute. Accordingly, in 1797, the election of a new President took place. John Adams, of the Federalist party, having the largest number of votes, was declared President. Thomas Jefferson, of the Republican party, having the next largest number of votes, was declared elected Vice-President.

Adams was inaugurated on the 4th of March, and immediately after the ceremony Washington retired to Mount Vernon, where he resided for two and a half years, finding a recreation in his old age in those quiet agricultural pursuits which had always been his delight. He was suddenly taken sick with a cold, and died on the 14th of December, 1799, aged sixty-seven years. He was buried at Mount Vernon on the 18th. The news of his death was speedily carried through America, and all over Europe, and everywhere men vied with each other in doing honor to his memory.

One circumstance connected with the death of this great man is gratifying to record. On his estate was a large number of negro slaves. Part of them belonged to Washington himself, the rest were the property of Mrs. Washington. During his life, the founder of American Liberty seems to have acted the same as other Virginian gentlemen, but at his death he left a benevolent clause in his Will, directing that all the Slaves he possessed, in his own right, should be emancipated after the death of Mrs. Washington. Chancellor Livingston having been previously one of the Commissioners to adjust the Massachusetts controversy, he was in 1790 appointed on the Commission to negotiate with Vermont in the great Territorial dispute with that State. The desired concessions were made by New York, and the affair satisfactorily ended.

## CHAPTER XIV.

POLITICAL RECORDS FROM 1792 TO 1800.

The Federalists nominated for Governor the virtuous John Jay, and the Republicans nominated their old standard-bearer Governor George Clinton. The contest was so close it had to be left to the official canvass to decide it, which was then decided by the Secretary of State, pronouncing George Clinton again elected Governor. In 1796 the Federalists re-nominated John Jay, and this time victory crowned their banners, for John Jay was elected Governor of New York.

At that date Chancellor Livingston's brother, Edward Livingston, was in Congress. The Chancellor wrote to him a letter of advice, of which the following extracts are made. This was in the month of February, 1796: "As I naturally feel myself much interested in your political career, I cannot but entreat you to consider that you are at this moment making immense sacrifices of fortune and professional reputation, by remaining in Congress. Nothing can compensate for these losses but attaining the highest political distinction, but believe me, this will never be obtained without the most unwearied application, both in and out of the House. Read everything that relates to the state of your laws, commerce, and finances. Form and perfect your plans so as to

bring them forward in the best shape. Forgive, my dear brother, both my freedom and my style. I write from my heart, not from my head. Be persuaded that no extent of talent will avail without a considerable portion of industry, to make a distinguished Statesman."

In Greenleaf's New York Journal and Patriotic Register, for February 2d, 1797, was inserted a letter paragraph, thus: "On the 24th inst. General Philip Schuyler, (unanimously, excepting one vote in the Assembly and one in the Senate,) was elected to the office of Senator of the United States, by the two Houses of the Legislature of this State, for six years from the 4th day of March next, on which day the seat of Aaron Burr, one of our present Senators in Congress, becomes vacant."

The services of this old soldier were at last recognized. The Federalists were in power, and the Republicans preferred to vote for the old soldier rather than to throw them away upon a candidate of their own party. General Schuyler was much touched, or flattered, by the unanimity of the vote. He was a member of the State Senate at the time, and he took occasion to make a short speech full of honest feeling.

The Federalists, as I have stated, were in the ascendant in this State. John Jay was Governor. The party looked strong, and was strong, but at this time they sustained a heavy loss, which led afterwards to damaging results. The Livingstons, headed by Chancellor Livingston, with few exceptions, according to Dr. Hammond, the Historian of New York Political Parties, left unitedly the Federal party, and associated themselves with the Republicans.\*

\*In 1798 John Jay again ran for Governor, and this time against Chancellor Livingston. From the Life of Jay, by his son William Jay, I have extracted as follows: "The moderation and forbearance evinced by Governor Jay towards his political opponents, arose from other and higher motives than a desire to conciliate their favour; and he was therefore neither surprised nor disappointed at finding the electioneering campaign opened against him at least one year before the expiration of his term of service. His enemies took the field under the banners of his old friend, Chancellor Livingston, whom they announced as their candidate for Governor. Mr. Jay would gladly have retired from the contest, but the indignities which France was at this time heaping upon his country, and the probability that they would soon lead to war, forbade him to consult only his personal gratification. His fellow-citizens still claimed his services, and he resolved not to abandon



We find Chancellor Livingston, writes Parton, at the banquet given in New York, in 1796, to celebrate the ninth anniversary of the alliance between France and the United States, offering the following toast: "May the present coolness between France and America produce, like the quarrels of lovers, a renewal of love."

In 1798 we find John Jay elected Governor of the State of New York, by a majority of 2,382 votes, over Chancellor Livingston. Jay was surprised and sorry to be opposed to his old friend in this race for the office.

In 1799 the Republican ticket in the city of New York was defeated by a majority of 900. It was headed with the name of Aaron Burr. Then it was that the party began to submit to that strict discipline which gave it twenty-five years of victory. "All who numbered themselves as its members," writes Renwick in his *Life of Dewitt Clinton*, "were required to yield implicit obedience to the will of its majority; that majority was made to move at the beck of committees, which concentrated the power in the hands of a few individuals. Denunciation as a traitor was the fate of him who ventured to act in conformity to his individual opinion, when it did not meet with the general sanction."

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the helm at a moment when the lowering clouds portended a storm. No competitor could probably have been selected with whom he would have been more reluctant to contend than the Chancellor. Ancient friendship, and ancient associations must have rendered it peculiarly painful to him to find in his old companion and fellow-laborer a voluntary rival. But whatever may have been his reflections on the occasion they were confined to his own bosom, and nothing unkind towards his opponent escaped from his lips or his pen. During the six years of Governor Jay's administration not one individual was dismissed by him from office on account of his politics. So long as an officer discharged his duties with fidelity and ability he was certain of being continued, and hence his devotion to the public became identified with his personal interest. It is related that in the Council a member was urging, in behalf of a candidate, his zeal and usefulness as a Federalist, when he was interrupted by the Governor with, "That, sir, is not the question. Is he fit for the office?" About the time of the campaign of Jay against Chancellor Livingston, "a satirical and highly personal letter was addressed to the latter in the columns of a newspaper under a fictitious signature, and pains was taken to give currency to the opinion that the Chief Justice was the writer of this and other articles. To aid this impression an answer to the letter soon after appeared in the same paper addressed to Mr. Jay, as its author. There is reason to believe that both publications proceeded from the same pen. The success of this base design was defeated by the appearance in the papers of the following card:

*To the Public.*

It having been deemed expedient to consider me as the author of certain political papers, lately published, I think it proper to declare upon my honor that I am not the author of any political paper that has been published this year; that I have neither written, dictated, nor seen the manuscripts of any of those which have appeared against Governor Clinton, or any other person whatever; and that I do not even know who the writers are, further than I have heard some of these papers ascribed to one person and some to another. Whoever they may be they have not been actuated by my advice or desire, and not being under my direction or control I cannot be responsible for the pain their publications have given."

"JOHN JAY."



The next year, 1800, another important presidential election took place. A President and Vice-President were now to be chosen by the electors, and, writes Parton, in his *Life of Aaron Burr*, "Among the Republicans there was but one man mentioned for the first office, and that was Thomas Jefferson. For the second, or Vice-Presidency, there was competition. What we now accomplish by nominating conventions was done in those days by party caucuses of the members of Congress. A few days after that the news of the great New York election reached Philadelphia. A Republican caucus was held for the purpose of deciding upon a candidate for the Vice-Presidency. The choice lay between three men, Chancellor Livingston, George Clinton, and Aaron Burr. It was concluded that Chancellor Livingston's deafness was an insuperable objection to an officer who would have to preside over a deliberative body, and he was set aside. The nomination was given to Aaron Burr. Jefferson and Burr were elected."

Just before his election took place Mr. Jefferson feeling sure of his success, wrote a letter to Chancellor Livingston and offered him a seat in his Cabinet, as Secretary of the Navy, but which offer the Chancellor declined. The 4th of March, 1801, was a day of rejoicing, throughout the United States, as it was inauguration day. Far away at Albany, the Republicans of the New York Legislature, were banqueting hilariously to keep the day joyous for them.

In the distribution of the spoils of victory the members and adherents of the two great families met with favor. Edward Livingston was appointed Mayor of the city of New York; Chancellor Livingston went as ambassador to France; Brockholst Livingston and Smith Thompson, (who had married a Livingston,) were elevated to the Supreme Court; Morgan Lewis, Dr. Tillotson, and General Armstrong, all had appointments. Dewitt Clinton was in the Senate. Thus the Republican party had cause to rejoice, for it looked strong and was strong.

## CHAPTER XV.

## CHANCELLOR LIVINGSTON'S MISSION TO FRANCE.

The appointment of Chancellor Livingston as ambassador to the Court of France, in 1801, was one of the first acts of the new administration of President Jefferson. Napoleon Bonaparte, the youthful conquerer of Italy, was at that time first Consul of the French Republic. His Court, even then, rivalled in magnificence and splendor the most august Courts of Europe. Chancellor Livingston at once conciliated the good feeling of that extraordinary man, by the amenity of his manners, and promoted the best interests of his country by persevering and enlightened exertions. During the short-lived peace of Amiens, Paris was visited by the refined and intelligent from every part of the civilized world, and here the Chancellor found leisure amidst the duties of official station to cultivate those ornate studies for which that Capital furnishes every facility.

On the day of a great levee, which was held at the Tuilleries, "the numerous representatives of all nations, and strangers from every country, assembled to pay their respects to the First Consul of France, now established, as the sole head of the government. The American Ambassador, Chancellor Robert R. Livingston, of New York, plain and simple in manners and dress, represented his Republic with propriety and dignity."

In that important negotiation with the government of France, which resulted in the acquisition of Louisiana to the United States, Chancellor Livingston was the prominent and efficient agent. Its transfer by the Spanish Government to France <sup>†</sup>in 1802, had excited the most lively feelings of the American Republic. By this unexpected measure they were made the neighbors to a power, which, under the giant energies of the First Consul, threatened, in case of rupture, the very existence of our Republic. Immediately preceding the entrance into it of the French authorities, the Spanish powers prohibited the inhabitants of the western country the use of New Orleans as a place of deposit for their productions, contrary to the treaty with his Catholic Majesty.

A universal spirit of indignation animated the American people, and there were not wanting those who recommended an immediate recourse to arms. The discussions on this question in the Congress of the United States elicited debates, in which Dewitt Clinton and Gouverneur Morris, representatives of this State in the American Senate, sustained the different views of the rival parties of this country.

In pursuance of the sounder counsels of those who urged the propriety of negotiation and peace, the Executive of the United States deputed as Minister to the Court of France, the late President Monroe. But previous to his arrival, Chancellor Livingston, in an elaborate and interesting written address to the French Government, had induced them to afterward sell us the vast territory of Louisiana. To further this great object, he had also personally importuned the First Consul. In April, 1802, Chancellor Livingston received a letter from President Jefferson, a part of which is here given.

“WASHINGTON, April 18th, 1802.

“DEAR SIR:—The cession of Louisiana and the Floridas, by Spain to France, works most sorely on the United States. On this subject the Secretary of State has written to you fully. It com-

pletely reverses all the political relations of the United States and will form a new epoch in our political course. \* \* \*

There is on the globe one single spot the possessor of which is our natural and habitual enemy. It is New Orleans, through which the produce of three-eighths of our territory must pass to market, and from its fertility it will ere long yield more than half of our whole produce and contain more than half of our inhabitants. France, placing herself in that door, assumes to us the attitude of defiance. Spain, might have retained it quietly for years. Perhaps nothing since the Revolutionary war has produced more uneasy sensations through the body of the nation.

“THOMAS JEFFERSON.”

The result of Chancellor Livingston's efforts was prompt and highly successful in the end. When Bonaparte was made the First Consul, he had conceived a magnificent project for establishing a grand military colony in Louisiana, the territory of which he had just extorted from the imbecility of Spain, having first procured the exclusion of our people from the privilege of deposit at New Orleans.

His veteran legions, released from active service by the transient peace of Amiens, were to be planted on the shores of the Gulf of Mexico and of the Mississippi, to overawe and curb, and eventually to dominate this republic. It was the precursor of the more gigantic and grasping project of his successor, now in process of execution a little further to the South.

The province was likely to prove a new instrument of power, or plaything in the hands of the successful soldier of fortune who directed the movements of armies at his will. It was something more than a mere speculation that he would turn a portion of his force to the New World. The troops were assembled to embark for his American possessions on the Mississippi, and there was a prospect of far greater difficulties as to the navigation of that river than had ever presented themselves in the feeble diplomacy and

scant authority of the former Spanish owners. Livingston warned his government at home of the danger, and advised preparation to meet the emergency, while he exerted every nerve to bring his negotiation to a successful issue.

At that moment Napoleon was not in a humor to listen to the proposal. President Jefferson then threw upon Mr. Monroe the perilous and almost hopeless responsibility of the case on which the whole future of the country so much depended, by sending him to France as Envoy Extraordinary, to preserve and secure to us the use of the Mississippi River. He reached Havre on the 10th of April, and Paris on the 12th, to find that everything was most unexpectedly changed. The flames of war had broken out again in Europe, the twenty thousand veterans encamped at Helvoetsluys for the military colony in Louisiana, were wanted elsewhere. "France wanted money, and must have it." The First Consul had already, on the 8th, announced to his Council his determination to sell the whole territory to the United States. In fact, Talleyrand had gone so far, on the 10th, as to ask Mr. Livingston how much the United States would give for the whole. Of course nothing remained for Mr. Monroe but to agree in the price, and "the negotiation was concluded within a month after his arrival, April 30th."

Thus the whole valley of the Mississippi, the Rocky Mountains, the Great Plains, and the Pacific Coast, down to the forty-second degree of latitude, became the territory of the United States; in fact, doubling the extent of our national domain.

The correspondence of Chancellor Livingston, addressed to Madison, the Secretary of State, at this time, is of unusual interest. There is one letter in particular, dated Paris, April 13th, 1803, midnight, some little time before Monroe's arrival, narrating the interview of the day with the Minister of the Treasury, which shows us the machinery of the negotiation.

"Chancellor Livingston appears to have conducted the whole



affair with masterly ability ; making his national bargain with the skill of a diplomatic chapman haggling over millions. The First Consul mentioned a sum impatiently to his minister. 'Well, you have the charge of the Treasury ; let them give you one hundred millions of francs, and pay their own claims and take the country.' He suggested that the nation had no means of raising such a sum. 'They can borrow it,' said the Consul. In reply, Livingston stated to Marbois his agreement with him, that the sum was exorbitant, the more so as they only wished the east side of the Mississippi and the Floridas, Texas then not being dreamt of in the political philosophy. Marbois talked of sixty millions, and the American claims to the amount of twenty more. The American negotiator found this still greatly beyond the national means, and urged the possibility of the Americans taking it by force. All this and more was admitted by Marbois with a shrug. 'You know the temper of a youthful conqueror ; everything he does is rapid as lightning ; we have only to speak to him as an opportunity presents itself, perhaps in a crowd, when he can bear no contradiction.' The affair went through some additional bargaining of the kind upon the arrival of Monroe, when a treaty was at length concluded, April 30th, on the basis of a payment of sixty millions of francs, and an assumption of the debts to the amount of twenty additional millions, making the entire sum paid for the purchase, about fifteen millions of dollars."

It was justly regarded as a diplomatic triumph, and though it depended very much upon the will or conveniences of Napoleon, credit is certainly due in the negotiation to Livingston.

The menacing posture, also, of affairs between England and France doubtless facilitated the object of these arrangements, and resulted as shown in the transfer of the entire country to the American Republic. Hunt, in his *Life of Edward Livingston*, gives the following account of the above transaction : "Barbe Marbois took upon himself to demand 80,000,000 of francs for the Territory, 30,000,000 francs more than the First Consul had



authorized him to demand for it. To this demand the American Ministers, Messrs. Livingston and Monroe, soon acceded, only asking a stipulation, to which France agreed, that out of the 80,000,000 francs the United States should reserve the sum of 20,000,000 francs, to be applied to the satisfaction of claims of their own citizens against France under the Convention of 1800. It was declared by the treaty that five and one-third francs should equal the dollar of the United States. So that the sum paid directly to France, on the purchase, was \$11,250,000, and the sum reserved to satisfy claims of citizens of the United States was \$3,750,000 making the whole price \$15,000,000."

By this most important treaty, contrary to the anticipations of the timid or interested, the confederacy of our States was placed on an invulnerable basis. Territory was added to our country nearly equal in extent to that of the original States of our Union, and the blessings of a free government secured to millions who had otherwise groaned under the vassalage of foreign powers and dominion. The vast deserts of Louisiana are now thickly populated, and in the field New Orleans has been added to the lists of Bunker Hill, Stillwater, Chippewa, Gettysburg, and Richmond.

After the signing of this eventful treaty the three ministers arose from the table, (says one of them, the Count Marbois,) when Chancellor Livingston, expressing the general satisfaction, said, with prophetic sagacity: "We have lived long, but this is the noblest work of our whole lives. The treaty which we have just signed has not been obtained by art or dictated by force, equally advantageous to the two contracting parties. It will change vast solitudes into flourishing districts; from this day the United States take their place among the powers of the first rank. The English lose all exclusive influence in the affairs of America. Thus one of the principal causes of European rivalries and animosities is about to cease. The United States will re-establish the maritime rights of all the world, which are now usurped by a single nation. These treaties will thus be a guarantee of peace and concord

among commercial States. The instruments which we have just signed will cause no tears to be shed ; they prepare ages of happiness for innumerable generations of human creatures. The Mississippi and Missouri will see them succeed one another and multiply, truly worthy of the regard of Providence, in the bosom of equality, under just laws, freed from the errors of superstition and the scourges of bad government."

The consequences of this act did not escape the keen penetration of the First Consul. "This accession of territory," said he, "strengthens forever the power of the United States, and I have just given to England a maritime rival that will sooner or later humble her pride." This successful mission to the Court of France secured for that able diplomatist, Chancellor Livingston, imperishable fame.

In 1804 he left the French Capital and traveled extensively in Europe. On his return to Paris, Napoleon, who was then Emperor, presented him with a splendid gold snuff box with a miniature likeness of himself painted on it, by that celebrated painter, Isabey. Chancellor Livingston, when in Paris in 1803, wrote a letter to his sister, Mrs. Garretson, as follows, in which he describes the horrible guillotine :

"When I compare the rage for destruction at that day with the facility this instrument affords for taking off the heads, I almost wonder that any one was left in France. When we arrived here the fashionable shawls were all crimson, in imitation of those worn by the victims of the guillotine. Would you believe it possible that the fair and the gay should sportively recall by their dress, horrors by which almost every one of them had lost a relative or a friend ? Nothing more fully characterizes the nation, as at once amiable and frivolous, possessing at the same time every refinement of the understanding and every weakness of the heart. The nerves of the people are certainly more delicately strung than those of other nations, and the power of imagination over their actions is inconceivable."

The official duties of Chancellor Livingston, as Resident Minister at Paris, did not prevent him from bestowing his attention to those objects of taste, congenial to his feelings and beneficial to his country. (To the American Academy of Fine Arts, established in New York in 1801, and of which he was the principal founder, and afterwards the President, in 1808, when he had returned from his mission to France. It then received the act of incorporation, under the name of the American Academy of Fine Arts; Chancellor Livingston, President; Col. John Trumbull, Vice President; Dewitt Clinton, David Hosack, John R. Murray, William Cutting, and Charles Wilkes, Directors; and if we add the names of C. D. Colden, Edward Livingston and Robert Fulton, we include in this enumeration the leading New Yorkers who, for many years, were liberal in their patronage to promote the undertaking.) He added the excellent collection of busts and statues which are now the boast of that institution, and was instrumental in procuring, from the liberality of the First Consul, its rich paintings and prints. He continued through life devoted to its interests, and was for many years its chief officer.

To the transactions of the Society for the promotion of the Useful Arts, established in 1793, chiefly through his exertions, he contributed many appropriate papers, and during his long residence abroad enriched our Agriculture with the improvements of French husbandry. He also purchased in Paris a large number of books for his own private library, and handsome furniture and tapestries for the adornment of his splendid rural home, at Clermont, New York.

He, among other things, sent out a large gilt and bronze American eagle, which he had placed over his bed in his bed-room, to hold the canopy over the same. It was still fastened to the wall in 1858, and at the sale of the furniture to close up the estate of Montgomery Livingston, a grandson of the Chancellor, it remained in the house and was presented by the purchasers of Clermont to the author, a descendant of the old Chancellor, and now ornaments the head of the stair-case in his dwelling at Chiddingstone.

In the year 1803, Thomas Jefferson, then President of the United States, wrote the following letter, which is of interest on many subjects, to Chancellor Livingston, in Paris :

*"To Hon. Robert R. Livingston."*

WASHINGTON, November 4th, 1803.

"DEAR SIR :—A report reaches us this day from Baltimore, (on probable but not certain grounds,) that Mr. Jerome Bonaparte, brother of the First Consul, was yesterday married to Miss Patterson, of that city. The effect of this measure, on the mind of the First Consul, is not for me to suppose ; but as it might occur to him *prima facie* that the Executive of the United States ought to have prevented it, I have thought advisable to mention the subject to you, that if necessary you may by explanations set that idea to rights. You know that by our laws, all persons are free to enter into marriage if of twenty-one years of age, no one having a power to restrain it, not even their parents ; and that under that age no one can prevent it but the parent or guardian. The lady is under age and the parents placed between her affections, which were strongly fixed, and the considerations opposing the measure, yielded with pain and anxiety to the former. Mr. Patterson is the President of the Bank of Baltimore, the wealthiest man in Maryland, perhaps in the United States, except Mr. Carrol, a member of great virtue and respectability. The mother is the sister of the lady of General Samuel Smith, and consequently the station of the family in society is with the first in the United States. These circumstances fix rank in a country where there are no hereditary titles."

"Your treaty has obtained nearly a general approbation. The Federalists spoke and voted against it, but they are now so reduced in their numbers as to be nothing. The question on its ratification in the Senate was decided by twenty-four against seven, which was ten more than enough. The vote in the House of Representatives for making provisions for its execution, was carried by eighty-nine against twenty-three, which was a majority

of sixty-six, and the necessary bills are going through the Houses by greater majorities. Mr. Pichon, according to instructions from his government, proposed to have added to the ratification a protestation against any failure in time, or other circumstances, of execution on our part. He was told that in that case we should answer a counter protestation, which would leave the thing exactly where it was; that this transaction had been conducted from the commencement of the negotiation to this stage of it, with a frankness and sincerity honorable to both nations, and comfortable to the heart of an honest man to review. That to annex to this last chapter of the transaction such an evidence of mutual distrust, was to change its aspect, dishonorably for us both and contrary to truth as to us, for that we had not the smallest doubt that France would punctually execute its part, and I assured Mr. Pichon that I had more confidence in the word of the First Consul than in all the parchment we could sign. He saw that we had ratified the treaty, that both branches had passed, by great majorities, one of the bills for execution, and would soon pass the other two; that no circumstances remained that could leave a doubt of our punctual performance, and like an able and honest minister (which he is in the highest degree,) he undertook to do what he knew his employers would do themselves, were they here, spectators of all the existing circumstances, and exchanged the ratifications purely and simply. So that this instrument goes to the world as an evidence of the candor and confidence of the nations in each other, which will have the best effects.

“This was the more justifiable as Mr. Pichon knew that Spain had entered with us a protestation against the ratification of the treaty, grounded first, on the assertion that the First Consul had not executed the conditions of the treaties of cession; and secondly, that he had broken a solemn promise not to alienate the country to any nation. We answered that these were private questions between France and Spain, which they must settle together; that we derived our title from the First Consul, and did not doubt his guarantee of it, and we, four days ago, sent off orders to the



Governor of the Mississippi Territory, and General Wilkinson, to move down with the troops at hand to New Orleans, to receive the possession from M. Loussat. If he is heartily disposed to carry the order of the Consul into execution, he can probably command a volunteer force at New Orleans, and will have the aid of ours also, if he desires it, to take possession and deliver it to us. If he is not so disposed we shall take the possession, and it will rest with the government of France by adopting the act as their own, and obtaining the confirmation of Spain, to supply the non-execution of this stipulation to deliver and to entitle themselves to the complete execution of our part of the agreement.

“Accept my affectionate salutations, and assurances of my constant esteem and respect.

“THOMAS JEFFERSON.”



## CHAPTER XVI.

## THE FIRST INTRODUCTION OF STEAM NAVIGATION.

Another benefit conferred on mankind, will of itself convey the name of Chancellor Livingston to the remotest posterity : his co-operation with Robert Fulton in effecting the successful application of steam navigation, the most important improvement since the invention of printing. By it the great community of nations is bound together by commercial and social intercourse ; the arts of war are made to yield to the profitable pursuits of peace, universal civilization, universal education, and the benign influence of religion, conveyed to every land.

The connection between Livingston and Fulton, says the lamented Clinton, "realized to a great degree the vision of the poet. All former experiments had failed, and the genius of Livingston and Fulton, aided by Chancellor Livingston's public spirit, discernment and purse, created one of the greatest accommodations for the benefit of mankind. These illustrious men will be considered through all time as the benefactors of the world."

I will here prove that Chancellor Livingston conceived the idea of applying steam as a motive power for boats some years before his connection with Fulton, for in 1797 Chancellor Livingston had employed a man by the name of Nisbet to construct a steamboat

at a place south of Tivoli, lately called De Koven's Bay, which boat was unsuccessful. In March, 1798, three years before Chancellor Livingston's appointment to France, where his connection with Fulton commenced, he had obtained from the Legislature of the State of New York a grant of the exclusive right to navigate by steam the waters within the limits of the State, for twenty years, provided he should produce and keep running at regular and convenient intervals, a boat of the average speed of not less than four miles an hour.

So wild and impracticable did his scheme appear to the wisecracks of the Legislature, that they would with equal readiness have granted him the monopoly of travel to and from the moon, if he had asked for it. The bill was introduced into the House by Dr. Samuel L. Mitchell, then a member of the Assembly. This was at the time of his experiments with Nisbet, and as we have seen, he failed to fulfil the conditions of the grant. But in 1803 he obtained a renewal of it, on the express condition that he and his associate, Robert Fulton, should produce a boat of the required speed within two years. Failing again, the Legislature again renewed the grant, which they had probably concluded by this time as a standing joke, and were no doubt considerably surprised, when, in 1807, the terms of the agreement, at that time existing, having been complied with, Livingston and Fulton became the monopolists of steam navigation on all the waters within the limits of the State of New York.

In most of the Lives written of Fulton, all the credit of the first application of steam to boats is given to Fulton, and the Chancellor only named as supplying the funds to carry out Fulton's plans. This is all a mistake, as is proved that Chancellor Livingston conceived the idea and formed plans years before his connection with Fulton; that he had the Nisbet boat constructed under his own plans, and that he had a wooden boiler constructed at his residence at Clermont, and that a wooden boiler was actually used on the first steamboat, Clermont, which you will see hereinafter

described by a passenger on the first trip of the *Clermont*, whose letter will be introduced.

Renwick, in his "Life of Fulton," is the only author who gives credit where credit is due. "Chancellor Livingston, who had, by his own experiments, approached as near success as any other person, *who, before Fulton had attempted to navigate by steam*, and who had furnished all the capital necessary for the experiment, had plans and projections of his own." Chancellor Livingston wrote Thomas Jefferson several letters giving his ideas and plans on the application of steam to the navigation of boats. A copy of one of these letters, in the Chancellor's own hand writing, and signed by himself, I have been so fortunate as to obtain from a grandson of his, which after being read will put to flight any belief my readers may have indulged in, that Robert Fulton was the first inventor of steam navigation. This important letter is as follows :

"CLERMONT, 26th Jan., 1799.

"DEAR SIR :—Surrounded as you at present are by the mists of politics, and those, too, partaking of the nature of physical fogs in their obscurity and the glooms they diffuse on surrounding objects, I flatter myself it will not be unpleasant to you to let your eye rest for a moment upon a spot inundated by a slight glimmering of philosophy. With this view I take the liberty to communicate to you and to ask your sentiments on the subject of an invention with which I have a few days past amused my leisure hours. Physicks and Mechanics never formed a more noble union than in the invention of the steam engine, which at once subjects the most powerful and the most common agents to serve man ; he reposes at ease while fire and water perform his most laborious tasks. The slow steps which this engine has advanced to its present state of improvement are really astonishing, considering how naturally most of those improvements would suggest themselves, and even now it appears to me extremely imperfect. Its first defect is the want of simplicity, in those forms of it in which the

object is merely to raise water to no very great heights. As this case occurs very frequently, it would be extremely desirable to have an engine so constructed as to cost little and not require the care and attention of an artist.

“The second defect of Dr. Watts’ machine, is the great loss of power by friction working with a dry piston, which must be rammed extremely tight; he loses on that and on his working rod at least  $\frac{1}{3}$  of his power; to this we must also add the friction of his air pump on and above the loss of power by the pressure of the atmosphere against it, and when to this is added the friction of the pumps, where water is to be raised which amounts to  $\frac{1}{2}$  of the force applied, it will be found that near one-half of his power is lost even when his machine is applied, to-wit, to the raising of water.

“The third defect is the great loss of power in obtaining a circular motion, which can only be got by a wrench or planner wheel; the latter he prefers in this case: supposing his gross power 2100,  $\frac{1}{3}$  lost in friction, 700, leaves 1400. The friction of the air pump (exclusive of its opposition to the atmosphere,) is  $89\frac{1}{2}$ , the friction and inertia of the common beam, which we will call 50, leaves the whole power applied to the planner wheel about  $1268\frac{1}{2}$ ; the friction of the planner wheel is  $\frac{1}{2}$  of this, which leaves about 951, but as in turning a wrench by this means there are but two points on which the wheels act with their full force, and two in which they do not act at all, but depend on the fly to enable them to pass, one-half then of the power on the mean between 0 and 951, or  $475\frac{1}{2}$  must be the whole power that remains of 2100 to turn the wheel, so that about  $\frac{3}{5}$  of the whole power is thrown away, when a circular power is sought by means of Watts’ engine. I have attempted to remedy these several defects, with what success you will judge when you compare my description with the rough sketches I enclose.

“First, to obtain a simple machine I take a box, or hogshhead, of wood, well hooped and of sufficient strength; to this I connect

in the manner hereafter mentioned a wooden tube, which serves as a pump, and is immersed in the water to be raised; the box in the lower part of this passage to be small, and at the height to which the water is to be raised, say 20 feet, let there be a large chamber to hold a considerable quantity of water, with a valve that opens into it from the narrow part. To this let there be a nozel with a valve that opens outward; from this chamber a pipe leads into the cylinder with a valve that opens inward into the box or cylinder. To have care that this must be placed not less than 30 feet from the surface of the water, below the pump, lest any water should rise into the cylinder. On the top of the pump must be a cock to let in air, that the water may run out of the chamber, the cylinder must be fitted with a valve through which the air and condensed water may be driven. A steam cock and a condensing cock, all of which may be worked by hand or by the water that the pump discharges by floats within the pump, or by a small Newcomb engine, on the top of the cylinder. Suppose the box, or cylinder, to contain 30 cubic feet, and the chamber of the pump to contain 10,—when a vacuum is made in the cylinder the air will rush in from the pump to supply its place—that is to say, the air, which before occupied 10 feet, will now occupy forty and of course be  $\frac{3}{4}$  lighter in the pump than the external air; if thus the weight of the atmosphere is equal to a column of 32 feet of water, the water in the pump must rise 24 feet. When the steam is again let into the cylinder the valve of communication will close, the air cock on the top of the pump must open, which will force the water out by opening the valve on the nozel of the pump, that the pressure of the air before kept close. Thus at every stroke 10 cubic feet of water will be discharged at the height of 20 feet; if a greater height is sought it may be done equally well by working several pumps at once, each communicating with the cylinder and raising the water from the reservoir of the others; the cylinder being proportionally larger when compared to the contents of the pumps.



"It is true that this engine wastes some steam, because the vacuum is only the difference between the contents of the cylinder and the contents of the pump, which we will call  $\frac{1}{2}$ ; but Dr. Watts' loses  $\frac{1}{3}$  in friction,  $\frac{1}{2}$  of the remainder in the friction of the pump, and  $\frac{1}{8}$  in the opposition the air pump meets with from the atmosphere, so that in fact the machine requires a smaller proportion of steam than his, to do the same work. As the cylinder is of wood and may be lined with mats or blankets, and covered with ashes or any other non-conductor, it will always be kept nearly the temperature of the steam; the air which will be admitted being a bad conductor of heat, can carry off little of it; the condensing water will be the only active agent for this purpose, but as the wood or blanket will part with their heat but slowly, not so much by 4-5th parts of the heat will be lost in this engine, as Dr. Watts carries his steam over double higher than the pressure of the atmosphere. Now boiling water will suffice for this engine, since all that is required is to raise the water. For a similar reason, and because of its cheapness, the boiler should be of wood with a furnace within. I have made one in this way and find that when the steam is so hot as to raise a weight of 6 lbs. on a square inch, the wood on the outside of a  $2\frac{1}{2}$  inch plank is not so warm but that you may lay your cheek against it without inconvenience. That I may not engross too much of your very valuable time at one period, I shall defer till my next a description of another engine, in which I think I have the full power of Dr. Watt, without losing any power by the friction of the piston, working rod, or air pumps, and also another in which the engine is applied to a circular motion without loss by weight or planner wheel. I must however afford you an opportunity of detecting the faults of this before I expose a second child of fancy to your critical eye. How few people would believe that so long a letter should be addressed to you without a word of politicks.

"I am, dear sir, with the highest esteem, &c., yours,

"ROBERT R. LIVINGSTON."

• "THOMAS JEFFERSON, Esq'r,"



## CHAPTER XVII.

## STEAM NAVIGATION AND SKETCH OF FULTON.

In 1801 Chancellor Livingston went as Ambassador to France. It was in France that he met Robert Fulton, who, like the Chancellor, had been experimenting in the application of steam to navigation. As Fulton is so nearly connected, both by marriage and by the union of inventive mind, with the Chancellor, it will not be out of place to give, before we proceed, a short sketch of him. The Chancellor's intimate acquaintance with Fulton was the commencement of a new era in the history of science. It was the union of congenial spirits—a junction of minds alike distinguished for capacity, energy, and perseverance, and bent upon the same grand design, and from whose embrace sprung into being that mighty improvement, which, in its influence on human affairs, has outstripped all other efforts of modern times.

Robert Fulton, who became connected with Chancellor Livingston in this great enterprise, was born at Little Britain, Lancaster County, in the State of Pennsylvania, in the year 1765; both his parents were of Irish descent. He went to England and placed himself under the tuition of Benjamin West, the artist. It has been remarked as a note-worthy coincidence that Benjamin West and Robert Fulton came into the world in the same vicinity, in

what was at the time of their birth a wild and uncultivated portion of the country. West was born at Springfield, Pennsylvania, in 1738.

Mr. West, the kind Quaker painter, received him with friendly hospitality, making him a sharer of his home and artistic resources. For several years he followed the profession of an artist on his own account, but his head soon teemed with plans for the improvement of inland navigation and utility. Experiments had been made in England, Scotland and Wales, but all the experiments had virtually failed until he met with Chancellor Livingston, who, with him, brought their united efforts to such a glorious termination in 1807.

About the time that Fulton lived with West he met with Dr. Cartwright, who had contrived a steam barge, in England, which he explained to Fulton in 1793; others state it was in 1796 when Fulton was introduced to Dr. Cartwright, at Paris. Colden, the biographer of Fulton, states "that he made a drawing of an apparatus for steam navigation in 1793, and submitted them to Lord Stanhope in 1795, who was then experimenting with duck feet paddles, but never got beyond three miles an hour." Fulton addressed a letter to Lord Stanhope on the subject of some experiments in the application of steam to navigation, containing the views which were afterwards put in practice on the Hudson, and which, if heeded by the noble earl, "the important invention of a successful steamboat," says Professor Renwick, "might have been given to the world ten years earlier than its actual introduction."

Fulton possessed much inventive genius, and in 1797 he passed over to Paris, with the design of bringing to the notice of the French Government his invention of the torpedo, a device for the blowing up of enemy's vessels by attaching beneath the water a copper canister of gunpowder, to be discharged by a gunlock and clockwork. He found his ingenious countryman, Joel Barlow, the poet, in the French capital, a kindred spirit with whom he formed

an acquaintance which, as in the case of West, was intimately continued for years under the same roof. Fulton availed himself of this opportunity to study the French, German and Italian languages, and improve his acquaintance with the higher branches of mechanical science. Among other employments, he projected, it is said, two buildings for the exhibition of panoramas, the success of which owed much to his assistance. On the arrival of Chancellor Livingston in France, in 1801, as minister, he found a ready assistant in Fulton to the schemes of steam navigation in which he had been already engaged on the Hudson. Experiments were set on foot in the two following years which resulted in sufficient success in the movement of a boat of considerable size, propelled by steam on the Seine, to justify the prosecution of the work in America.

Fulton took notes in his memorandum book of all experiments for the accomplishment of steam navigation in England. After making experiments, aided with Chancellor Livingston's plans, mind and purse, they both returned to the United States, to complete and put in actual operation the united genius of these two great men. Fulton's genius took also a wide range. He was an excellent writer, and might have acquired fame as a painter had he pursued the profession. He always retained an affection for art, from his early efforts at Philadelphia and first intimacy with West in London. When his friend Joel Barlow reproduced his early poem, "The Vision of Columbus," as the "Columbiad," in a costly quarto edition, the beautiful illustrations were planned by Fulton, and executed under his direction; and it is to his pencil that we owe the characteristic portrait of the author prefixed to the work. From his will we learn that Fulton expended five thousand dollars for the engravings, printing of plates, and letterpress of the poem. He mentions this for the sake of resigning all property in the work to the widow of his friend, the author. He also in his will provides, in certain contingencies, for the gift of his pictures, of which he had a valuable collection, including

West's Ophelia and King Lear, to a proposed National Academy at the seat of Government.

The amiable social qualities of Fulton are remembered in New York by many yet living, who were his companions. "He had too much sense," remarks his friend and biographer, Colden, "for the least affectation." "He was emphatically," adds his younger associate, Dr. Francis, "a man of the people, ambitious, indeed, but void of all sordid designs; he pursued ideas more than money." His home in State street is spoken of as the seat of a genial hospitality. In person, he was tall and slender, but well proportioned. The portrait by West has a certain reserved look of the gentleman, with an air of meditation and refinement.

When in the United States, after their return from France, Fulton had time in his leisure moments to court, or pay his attentions, to Miss Harriet Livingston, a relative of Chancellor Livingston, who, writes Professor Renwick, in his Life of Fulton, "was pre-eminent in beauty, grace and accomplishments. She had speedily attracted the ardent admiration of Fulton, and this was returned by an estimate of his talent and genius amounting almost to enthusiasm. The epoch of their nuptials, the spring of 1808, was that of Fulton's greatest glory. Everything, in fact, appeared to concur in enhancing the advantages of his position. Leaving out of view all questions of romance, his bride was such as the most impartial judgment would have selected, young, lovely, highly educated, intelligent, possessed of what in those days was accounted wealth. His long labors had been followed with success. Esteemed and honored even by those who had been most incredulous while his scheme was in embryo, he felt himself placed on the highest step of the social scale."

Fulton after this date lost money in many enterprises he had entered into. The history of the first steamboat we will give in the next chapter.

In these later years of his life, for unhappily he was now

approaching its close, Fulton was mainly employed at New York in building and equipping, under the supervision of Government, his famous cannon-proof steam-frigate, named after him, the *Fulton*, and in perfecting his favorite devices of submarine sailing vessels, in connection with the torpedo warfare. The steam-frigate was launched in October, 1814, but its projector did not live to witness its completion. He may be said, indeed, to have been a martyr to the undertaking. His constitution, not of the strongest, was exposed to a severe test in mid-winter, in January, 1815, in a passage across the Hudson, amidst the ice in an open boat. He was returning from the Legislature of New Jersey, at Trenton, whither he had gone to give evidence in the protracted steamboat controversy. He was taken ill on his return home, and before he was fully restored, ventured out to superintend some work on the exposed deck of the *Fulton*. This brought on increased illness, which speedily terminated in death, February 24, 1815.

Thus perished, at the age of fifty, in the midst of his labors, one of the most ingenious and eminent inventors, and his quiet grave is in our midst in New York, in the family tomb of the Livingstons, in the ground of Old Trinity. Adjoining, Wall street exchanges millions, borne on every sea on the wings of his enterprise. Does she not owe her benefactor a monument?

Dr. John W. Francis, in his address before the New York Historical Society, and published in his work, "Old New York," thus describes Fulton, and it is a most fitting conclusion of my short sketch of him. He writes: "Fulton's patriotic spirit was so eminently American, his impulses so generous, and the intimate relations which he held with the Livingstons, many of whom were most anxious to secure the perpetuity of your institutions, all served to rivet his affections to advance the great ends you had in view. Amid a thousand individuals you might readily point out Robert Fulton. He was conspicuous for his gentle, manly bearing and freedom from embarrassment, for his extreme activity, his



height, somewhat over six feet, his slender, yet energetic form and well accommodated dress, for his full and curly dark brown hair, carelessly scattered over his forehead and falling round about his neck. His complexion was fair, his forehead high, his eyes large, dark, and penetrating, and revolving in a capacious orbit of cavernous depth; his brow was thick, and evinced strength and determination; his nose was long and prominent, his mouth and lips were beautifully proportioned, giving the impress of eloquent utterance. Trifles were not calculated to impede him or damp his perseverance. His hat might have fallen in the water, and his coat be lying on a pile of lumber, yet Fulton's devotion was not diverted.

"I shall never forget that night of February 24th, 1815, a frosty night indeed, on which he died. Dr. Hosack, with whom I was associated in business and who saw him in consultation with Dr. Bruce, in the last hours of his illness, returning home at midnight from his visit, remarked: 'Fulton is dying; his severe cold, amidst the ice in crossing the river, has brought on an alarming inflammation and glossitis. He extended to me,' continued the Doctor, 'his generous hand, grasping mine closely, but he could no longer speak.' I had been with Mr. Fulton at his residence but a short time before, to arrange some papers relative to Chancellor Livingston and the floating dock erected at Brooklyn. Business dispatched, we entered upon the character of West, the painter, the Columbiad of Barlow, and the great pictures of Lear and Ophelia, which he had deposited in the American Academy. This interview of an hour with the illustrious man has often furnished grateful reflections. At the time the *Clermont* steamed her way from New York to Albany, on September 7th, 1807, not another steamboat was in successful operation throughout the globe. Well might the eloquent Gouverneur Morris exclaim, in his inaugural discourse before your Society: 'A bird hatched on the Hudson will soon people the floods of the Wolga! and eygnets, descended from an American Swan, glide along the surface of the Caspian Sea.'"



## CHAPTER XVIII.

## STEAM NAVIGATION, CONTINUED.

In May, 1786, John Fitch had constructed a steam packet which made several trips between Philadelphia and Trenton, but on a different plan from Livingston and Fulton's, as it had not paddle wheels but what might be called side propelling oars. But less fortunate than Robert Fulton, he found no Livingston to aid him and died broken hearted, so unbefriended indeed that to this day it is not known where he is buried. We do not mean to intimate that Fulton was merely fortunate, for he was a man of great and original mechanical genius, and Renwick, in his *Life of Fulton*, has shown clearly enough that Fitch's engine, although very ingenious, was not susceptible of such improvements as would ever have made it of much practical use. He goes so far as to say that if Fulton and Livingston had failed, Fitch would never have been heard of.

Two years later than Fitch's experiment, in 1789, a steamboat sixty feet long, which made seven miles an hour, had been tried on the Forth and Clyde canal and abandoned, because of the damage it was feared would be done to the artificial banks of the canal by the waves produced from the movement of the paddle wheels. The maker of this boat, after Fulton was dead, accused him of having stolen his invention from him, but there is no reason for believing the charge. Chancellor Livingston's and Nesbit's

boat was, as stated, not successful. This experiment derived additional interest from the fact that the engineer was Brunel, afterwards the engineer of the Thames tunnel, a Frenchman who had sought refuge in the United States from the revolution of 1793.

In 1806 Chancellor Livingston and Fulton, after having spent many years and much money in experiments, had at last resolved upon a plan, and commenced in that year to construct at the ship-yard of Mr. Brown, in New York, a boat to be propelled by steam, somewhat similar but larger than the one they had built in France. This boat they afterwards named the "Clermont," so named after Mr. Livingston's home on the Hudson. It was launched in August, 1807, and on the following 7th of September, set out on her first trial trip to Albany, amid the shouts of the hitherto unbelieving multitude that crowded the banks of the river, all filled with an interest as intense as was ever excited by any invention. In fact most all inventions have crept noiselessly forth from the brain that nursed them, but this one was greeted with shouts of wonder and exultation, and "Fulton's folly," as the boat had long been derisively called, when in building, became now the eighth wonder of the world as she ploughed the waters of a river that not quite two hundred years before was unknown to the civilized world.

The steamboat Clermont was one hundred feet long, twelve feet wide, and seven feet deep. The engines were constructed at the works of Boulton & Watt, at Birmingham, England, and finished in August. The whole expense of this vessel, by the contract between Chancellor Livingston and Fulton, both for vessel and engines, was to be paid by the former until the experiment met with success. Mr. Fulton thus described to a friend the disheartening circumstances under which the construction of the first steamboat, nicknamed by his fellow-countrymen, "Fulton's Folly," was patiently persevered in by himself. So Noah when he was building his ark was make a laughing stock, but the laugh was soon turned into a stern reality.

Fulton writes to a friend as follows: "When I was building my first steamboat, at New York, the project was viewed by the public, either with indifference or with contempt as a visionary scheme. My friends indeed were civil, but they were shy. They listened with patience to my explanations, but with a settled cast of incredulity on their countenances. Never did a single word of encouragement, or of bright hope, or a warm wish cross my path. Silence itself was but politeness, veiling doubts or hiding its reproaches."

Fulton's biographer describes the trial: "Before the boat had made the progress of half a mile the greatest unbeliever was converted, (this was on Friday afternoon, September 4th, 1807.) Fulton was received with shouts and acclamations of congratulation and applause. She made this her first voyage from New York to Albany, 154 miles, at the average rate of five miles an hour, stopping for some time at Chancellor Livingston's dock, at Clermont, to take in wood. The whole voyage up the river was one continued triumph. The vessel is described as having the most terrific appearance. The dry pine wood fuel sent up many feet above the flue a column of ignited vapor, and when the fire was stirred tremendous showers of sparks. The wind and tide were adverse to them, but the crowds saw with astonishment the vessel rapidly coming toward them, and when it came so near that the noise of the machinery and paddles was heard, the crews of many sailing vessels shrunk beneath their decks from the terrific sight, while others prostrated themselves and besought Providence to protect them from the approach of the horrible monster which was marching on the tide and lighting its path by the fire that it vomited."

Mr. Dyer had sailed in the Clermont and remembers the sensation created by her appearance, and the high admiration bestowed on the projectors of so great an enterprise. That sensation in 1807 was the same precisely the Margery some years afterwards created among the crews of the vessels of the Thames River, in

1815. In 1816 the Marquis de Jauffray complained that Livingston and Fulton's vessel on the Seine had taken the paddle wheels invented by him and used at Lyons thirty-four years previously, but abandoned by him. To this charge Monsr. Royon replied in the *Journal des Debats* thus: "It is not concerning an invention but the means of applying a power already known."

The application of steam to navigation had been thought of by all inventors, but the means of applying it were wanting until Chancellor Livingston and Fulton made this much needed application. As we are now engaged upon the subject of the first steamboat I will give all the facts and incidents I have been able to collect in relation to her, as the accounts are various and differ in many particulars of this first navigation of the river Hudson, whose mountains, hills, and valleys now echo with the shrill whistle of the iron horse, and whose banks are bordered with the still more wonderful invention of the Telegraph. If Rip Van Winkle had lived in these progressive days he would have quickly been awakened, even in the most inmost recesses of the Katsbergs.

It is stated on the authority of Capt. E. S. Bunker, that the Clermont, or experiment boat, was in 1808 lengthened from 100 to 150 feet, and widened to 18 feet, and her name changed to North River. The engine was constructed in Birmingham, as stated. In August, 1807, the boat was propelled by steam from the East River to Jersey City, and on the 7th of September, 1807, started on her first trip to Albany. The following advertisement was taken from the columns of the *Albany Gazette*, dated September 2d, 1807:

"The North River Steamboat will leave Pauler's Hook, now (Jersey City,) on Friday, the 4th day of September, at 9 o'clock in the morning, and arrive at Albany on Saturday at 9 in the evening. Provisions, good berths, and accommodations are provided. The charge for each passenger will be as follows:

To Newburgh, . . . . .	14	Hours, . . . . .	Fare, . . . . .	\$3
" Poughkeepsie, . . . . .	17	" . . . . .	" . . . . .	\$4
" Esopus, . . . . .	20	" . . . . .	" . . . . .	\$5
" Hudson, . . . . .	30	" . . . . .	" . . . . .	\$5½
" Albany, . . . . .	36	" . . . . .	" . . . . .	\$7

For places apply to William Vandervoort, No. 48 Courtlandt Street, on the corner of Greenwich Street.

The following is from the New York Evening Post, dated October 2, 1807:

"The newly invented steamboat, which is fitted up in a neat style for passengers, and is intended to run from New York to Albany as a packet, left here this morning with ninety passengers against a strong head wind, notwithstanding which it was judged she moved through the water at the rate of six miles an hour."

An interesting reminiscence of the first voyage south of this vessel was recently communicated to an American paper. "A gentleman from New York happened to be in Albany at the time the Clermont first arrived there. He found that the vessel was a general object of wonder, but that few people seemed willing to trust themselves to it as a means of conveyance. He however determined to embark for a trip down the Hudson in this new steamer. He therefore proceeded on board to secure his passage, and in the cabin he found a plain gentlemanly looking man, quite alone, and engaged in writing. This was Fulton, and the following dialogue took place:

STRANGER.—Do you intend to return to New York with this boat?

FULTON.—We mean to go back with her, Sir.

STRANGER.—Can I have a passage.

FULTON.—Yes, if you choose to take a chance with us, Sir!

Seven dollars were then paid as passage money. With his eye fixed on the money, which he retained in his open hand, Fulton remained so long motionless that the stranger supposed that he had miscounted the sum, and asked "is that right sir?" This



roused the projector from his reveries, and as he looked up, the big tear was brimming in his eye, and his voice faltered as he said: "Excuse me, sir, but memory was busy as I contemplated this among the first pecuniary rewards I have received for all my exertions in adapting steam to navigation. I would gladly commemorate the occasion over a bottle of wine with you, but really I am too poor for even that, just now. Yet I trust we may meet again when this will not be so." They did meet again four years afterwards. Fulton had not forgotten the incident, and at the second meeting that wine was not spared.

The Clermont made her first passage from New York to Albany in thirty-two hours, a distance of one hundred and fifty miles. On her return to New York, a few days after, the voyage was made in thirty hours. A passage from the letter of Fulton to his friend Joel Barlow, affords an interesting memorial of the occasion. After stating that the voyage had turned out rather more favorably than he had calculated, and remarking that, with a light breeze against him, he had, solely by the aid of the engine, "overtaken many sloops and schooners beating to windward, and parted with them as if they had been at anchor," he adds, "the power of propelling boats by steam is now fully proved. The morning I left New York, there were not perhaps thirty persons in the city who believed that the boat would ever move one mile an hour, or be of the least utility; and while we were putting off from the wharf, which was crowded with spectators, I heard a number of sarcastic remarks. This is the way in which ignorant men compliment what they call philosophers and projectors. Having employed much time, money and zeal in accomplishing this work, it gives me, as it will you, great pleasure to see it fully answer my expectations. It will give a cheap and quick conveyance to the merchandise on the Mississippi, Missouri and other great rivers, which are now laying open their treasures to the enterprise of our countrymen; and although the prospect of personal emolument has been some inducement to me, I feel infinitely more pleasure



in reflecting on the immense advantage my country will derive from the invention."

I here insert another letter of Fulton. The original letter is in possession of Persen Brink, Esq., of the town of Saugerties, Ulster county, and a copy of it was sent to the *Kingston Argus* for publication. It is as follows :

"NEW YORK, Oct. 9, 1807.

"CAPT. BRINK.—SIR :—Inclosed is the number of voyages which it is intended the boat should run this season. You may have them published in the Albany papers. As she is strongly made, and every one except Jackson, under your command, you must insist on each one doing his duty, or turn him on shore and put another in his place. Every thing must be kept in order—every thing in its place, and all parts of the boat scoured and clean. It is not sufficient to tell men to do a thing, but stand over them and make them do it. One pair of good and quick eyes is worth six pair of hands in a commander. If the boat is dirty or out of order, the fault should be yours. Let no man be idle when there is the least thing to do, and make them move quickly.

Run no risque of any kind ; when you meet or overtake vessels beating or crossing your way, always run under their stern, if there be the least doubt that you cannot clear their head by 50 yards, or more.

Give the amount of receipts and expenses every week to the Chancellor.

Your most obedient,

ROBERT FULTON.

In Miller's new Guide Book to the Hudson River, I found and made the following extracts : "Opposite Malden the traveler may get a peep at Clermont, the seat of the late Chancellor Livingston, with whose family so many of the wealthy people of this neighborhood are connected by marriage. Robert R. Livingston, the Chancellor of the State of New York, perhaps as well known for

his connection with Robert Fulton, as well as for his own virtues and talents, was descended from a good Scotch family, proud we believe of tracing their blood back to the Earls of Linlithgow. The Livingston patent of nobility is derived, not however from any Scotch Laird, but from their ancestor Robert, who was an able man, a true lover of his country, and one who did her good service, representing her abroad with honor, enriching her by the assistance his vast wealth and generosity enabled him to give to all plans for improving her material resources, and above all by the efficient help he gave to Fulton in the introduction of steam navigation."

Chancellor Livingston and Fulton had no idea of the benefits they conferred on man. Indeed, up to this time, as remarked by Professor Renwick, "although the exclusive grant had been sought and obtained from the State of New York, it does not appear that either Fulton or his associate had been fully aware of the vast opening which the navigation of the Hudson presented for the use of steam." The demand for travel soon outran the narrow accommodations of the Clermont, now put upon her regular trips upon the river; another vessel was built, larger and of finer appointments; punctuality was established, and the brilliant steamboat service of the Hudson fairly commenced.

This new vessel was named the North River, and was the old Clermont re-built. I have found the following letter which was written by the late Francis Sayre, Esq., of the village of Catskill. He was the last surviving member of the company who embarked on the North River, on her first trip from New York. The letter will be found an interesting reminiscence:

"CATSKILL, September, 1857.

"I am, as far as I know, the only person now living who was on board the first steamboat on her first trip from New York to Albany. I do not refer to the trial trip which was made in 1807, in what may be termed a scow, but to the first trip made by the old North River, the first passenger boat propelled by steam,

“The craft employed by Mr. Fulton, on the ‘trial trip,’ (called the Clermont, but probably never registered,) was taken to what was then called lower Red Hook, and in the Winter of 1807 and 1808 was hauled out on ways to be enlarged and converted into a commodious steamboat. The alterations and enlargement were made by ship-carpenters of the city of Hudson during the winter and spring. She was launched about the 1st of May, and called the North River. She was taken down to New York by Capt. Samuel Jenkins, who had her in temporary charge, until Capt. afterwards styled ‘Commodore,’ Wiswall, should be able to assume the command. On arriving at New York she was taken to the dock at the foot of Dey street, (then far up town,) where the machinery was put on board, and the cabin and carpenter’s work were completed. This was done with a rapidity which in those days was considered extraordinary, Mr. Fulton himself overseeing and attending to every part. He was usually on board as early as five o’clock in the morning, and would be there almost the entire day. I never knew a more industrious, indefatigable, laborious man.

“ ‘Fulton’s new steamboat’ was the wonder of the day. She was visited daily by hundreds of the curious, who asked many queer questions in relation to the operation of the steam and machinery ; one of these almost invariably was, ‘Where and how was the steam to be conveyed to the water wheel ?’ The crowd of visitors became a great annoyance and hindrance to those employed on board, and I recollect a very amusing incident, connected with the attempt to prevent intrusion. Mr. Fulton directed a painter to letter a board with the words, ‘One dollar for any person to come on board without liberty,’ which was put up in a conspicuous place. One day a sailor came along and read the notice. Jack was not long in putting his construction upon it, and giving his quid a roll in his mouth, and with a laughing, knowing wink of the eye, jumped on board without ceremony, pointed to the board and accosted the man nearest him with ‘Mister, who pays me that dollar ?’ Mr. Fulton was standing near and laughed heartily, a thing unusual with him, for he was generally, while among the men,

very taciturn and grave, giving his orders and directions in a laconic manner. He would listen, however, to suggestions made by the more practical, and would often modify his orders to accord with such suggestions. During the time these preparations were going forward, trials were made of the working of the machinery, by hauling out into the stream, putting on steam, and starting the engine. This was no small affair, for when the engineer gave the notice 'All ready,' all hands were called, carpenters, joiners, painters, caulkers, laborers and crew, to prevent what is termed 'catching on the centre.' During one of these trials, when going up the river at the rate of six or eight miles an hour, Mr. Fulton stood looking over the bow of the boat for fifteen or twenty minutes, intently watching the motion and speed of the boat, apparently wholly absorbed. Suddenly he wheeled and addressed a friend, who stood near him, with great enthusiasm, with 'My good friend, she is a fine boat, and our success is certain.'

"Commodore Wiswall was now in command. At the hour appointed (9 o'clock, A. M.) for her departure for Albany, Chancellor Livingston, with a number of invited friends, came on board, and after a good deal of bustle and no little 'noise and confusion,' the boat was got out into the stream and headed up the river. Steam was put on and sails were set, for she was provided with large square sails attached to masts that wereso constructed that they could be raised and lowered as the direction and strength of the wind might require. There was at this time a light breeze from the South, and with steam and sails a very satisfactory rate of speed was obtained. Fast sailing sloops were passed with ease, the machinery worked finely, and everything seemed to promise well. After a time, however, it was discovered that steam was escaping from the boiler. This boiler was constructed of wood, a cylinder, perhaps twenty feet long and ten in diameter, bound with heavy iron bands, with iron tubes extending from the lower part into the furnacc. The heat imparted to the iron bands by the steam produced a shrinking of the wood directly under them, whilst the spaces between them would swell from moisture im-



parted by the steam, so that the edges of the planks would be uneven, leaving open spaces through which the steam escaped. How could the difficulty be obviated? Resort was had to covering the boiler with blankets and carpets, which prevented the evil to some extent, and as the favorable wind continued, we kept on the even tenor of our way, and just before sunrise next morning we were at Clermont, the residence of the Chancellor, who, with his friends, landed and the boat proceeded to Albany, where she arrived at two or three o'clock, P. M.

“‘Fulton’s new steamboat,’ was here, too, the wonder of the day, and was visited by great numbers. There seemed to be but one opinion, viz: A member of one of the largest freighting establishments in the city of Albany, which relied upon the carrying of passengers to and from New York for a material part of its income, in conversation with the writer remarked, sneeringly, ‘Fulton will never succeed, but it is well enough for him to make the experiment. He is only sporting with the Chancellor’s money, who has enough to experiment upon without injuring him. Within two years this same gentleman was a large stockholder in the opposition boat started by an association in Albany. These boats, however, were in a short time laid up under an injunction issued by the Chancellor, and were never afterwards run on the river; so that my friend lost almost the whole of the money he ventured in experimenting on the rights of others.

“After two or three days’ stay in Albany spent in making some repairs and alterations, in the machinery, caulking the boiler to prevent the escape of steam, and supplying deficiencies discovered on the passage up the river, the return passage was commenced and prosecuted with about the same speed and success. When within about thirty miles of New York, the tubes that ran from the boiler into the furnace, one after another gave way until the fires were entirely extinguished, and the remainder of the passage was made by the use of the sails. On arriving at New York she was laid up until a new boiler could be constructed, which was

done of heavy sheet copper in about two months time, when she was again started. From that time she accomplished her trips regularly, but how differently from the boats of the present day. Instead of making a passage in nine or ten hours, she consumed from twenty-four to thirty. The landings were effected with much trouble and great loss of time, and no little terror to those of weak nerves.

“And now, starting from the days of the ‘first steamboat,’ and tracing events up to the present time, I feel as if I had lived in a very important era in the world’s history ; I think it hardly possible that one starting, at this day, on a pilgrimage of seventy-five years, will witness anything like the improvements in the arts and sciences, in intercommunication throughout the wide world, and in facilities for carrying on commercial enterprises.

Robert Fulton constructed a steamer of 2,740 tons, in 1813, built for harbor defence, and launched in that year, and was used as a defence against the British in the last war with England. It will be seen by drawings of Fulton’s plans that he had tried the other kinds of propellers, the chain float, duck’s foot, and the screw fan, before adopting the paddle wheel, for although the screw was good in principle it was many years before it could be constructed to act efficiently. But the Clermont soon had a competitor ; within a short time Mr. Stevens, of Hoboken, launched a steamboat, which, as she could not ply on the waters of the Hudson in consequence of the exclusive patent of Fulton and Livingston, he took round to the Delaware River, and this was the first steamer that ever braved the tides of ocean.

John Stevens, who, in common apparently with all the distinguished men of the time, had married a relative of Livingston, and had been experimenting at Hoboken with a steamboat similar to Fulton’s, which he finished only a few weeks after the latter had made a successful trip, thus securing the monopoly we have mentioned. Stevens named his boat the Phoenix. He afterwards



produced a boat capable of making thirteen and a-half miles an hour.

We now close our sketch of the first steam navigation, and those that now ride along the banks of our beautiful river Hudson, at the rate of thirty-five miles an hour, will not very much envy the traveler of days gone by in the old cold stage coach or sleigh in winter, or the long voyage up the river in the Clermont during the season of navigation. So much for these days of progress.

If some of the old inhabitants of the town of Clermont could return from the other world, with what amazement would they view the banks of the Hudson, so closely built up with splendid residences, and behold the railroad and telegraph, those two iron bands that now encircle and bind together, as one, all parts of the civilized world. Who knows what the next century may bring forth? We may, who now inhabit this earth, seem to those who will inhabit it in our stead a hundred years from now, to be as much behind the then age, as our forefathers now appear to have been to us. For as surely as the age of the ancient Knickerbockers and Rip Van Winkles has departed, so surely will wonders and inventions never cease.

## CHAPTER XIX.

## CHANCELLOR LIVINGSTON AS AN ORATOR, AND CLOSE OF HIS LIFE.

The leisure hours of Chancellor Livingston were devoted to every variety of science, arts, and literature. He was a man that filled a great space in the eyes of all the American people. The heroic authors of antiquity, Homer and Virgil, Demosthenes and Cicero, were among those which contributed to improve his taste, and expand his thoughts and feelings. His historical researches were various and extensive. All this was not effected without unremitted industry. Every interval of time afforded from the duties and cares of public life was devoted with scrupulous fidelity to add to his already vast store of knowledge. Like the Chancellor D'Aguesseau, in variety of pursuit he found that relaxation which others seek in pleasure and amusement.

The style of his oratory was chaste and classical, and of that persuasive kind which the father of poetry ascribes to Nestor. All who were witnesses testify to the mute attention with which he riveted his auditors. But he chiefly delighted in the pathetic, and often by his appeals to the sympathies of his hearers counteracted the most powerful prejudices. His acknowledged integrity and patriotism doubtless added force to all he uttered. Franklin termed him the American Cicero. In him were united all those qualities which, according to that illustrious Roman, are necessary in the perfect orator.

Thus it appears that the late Chancellor Livingston was an active agent in the most momentous events that have influenced the destinies of mankind. Of the Congress of 1776, which resolved that these States were free and independent, he was a distinguished member, and belonged to that committee which framed the declaration of our grievances and rights, and which will transmit their names to the latest posterity. In the Convention of New York, which formed the Constitution of our State, the best scheme of polity known to the world was devised by the wisdom of Livingston, Jay, Hamilton, and Madison. The important actor in a negotiation which doubled our country in extent, and I trust has rendered it forever secure from foreign intrusion, and the coadjutor in that noblest of all improvements in mechanics, by which time and space are annihilated, the invention of steam navigation.

In Chancellor Livingston, to the proud character of integrity, honor and disinterestedness, were added the mild, yet ennobling features of religion; an inquiring believer in its truths, an exemplar of its gentle effects on the character, he daily sought its consolations and strengthened his pious resolution in the rich inheritance it promises. He was devoted to the Protestant Episcopal Church from an enlightened preference of its doctrines and discipline, without hostile feelings to those who trust to other guides in religion. So he lived; he had a strong faith in his Heavenly Father, a fervent hope for the life to come and a charity for all that never failed. These three sisters, faith, hope and charity, blended together to form as near as possible a perfect life and an enviable death.

His person, says Dr. Francis, who knew him intimately, "was tall and commanding, and of patrician dignity. Gentle and courteous in his manners, pure and upright in his morals. His benefactions to the poor were numerous and unostentatious. In life without reproach, victorious in death over its terrors."

The mental activity of Chancellor Livingston was continued to the last. A few days before his death he wrote a valuable paper

on Agriculture, for the American edition of "Brewster's Encyclopedia." After a life, every portion of which was devoted to the benefit of his fellow man, he paid the last debt to nature at his seat at Clermont on the 26th of February, 1813. He was at the time of his death in the 66th year of his age. He was buried in the old Manor vault of the Livingston family, at Clermont, and it grieves me to add that no suitable or fine monument marks his last resting place. But his life will ever be an enduring monument in the hearts and affections of the American people, and united with the names of Washington, Hamilton, Jay, Madison, Jefferson, Franklin, and Lincoln, dear to our hearts and ever cherished at our hearthstones. Let us teach our children to emulate or follow their examples, to love and revere their memories as every true American ought.

"Who having won the bound of man's appointed years at last,  
Life's blessings all enjoyed, life's labors done,  
Serenely to his final rest has passed,  
While the soft memory of his virtues yet  
Lingers like twilight-hues when the bright sun is set."

## CHAPTER XX.

HENRY B. LIVINGSTON, BROTHER OF THE CHANCELLOR.

Henry Beekman, the second son of Judge Robert R. Livingston, and brother of Chancellor Livingston, was born at the Livingston Manor House, at Clermont, Columbia County, November 9th, 1750, and married in March, 1781, to Miss Margaret Shippen. Of his earlier years I have been unable to obtain any records. He served in the war as Colonel from 1775 to January, 1779, was made a Brigadier-General at the close of the war, was voted a handsome sword by Congress, and received also the commendation of General Washington for the bravery he displayed in his Northern campaign, when he served under his brother-in-law, General Richard Montgomery. Whilst in Canada, he became familiar with the French language.

He was among the first to oppose the oppressions of the mother country, and to take up arms against Great Britain. He was with Montgomery at St. Johns, Montreal and Quebec. At the storming of the latter stronghold, in December, 1775, he led one of the attacks against the upper town, and Major Brown another column which were intended merely as feints to distract the attention of the garrison, whilst Generals Montgomery and Arnold conducted the two real columns of attack against the lower town. He assisted in the capture of the fort at Chamby, and otherwise dis-



tinguished himself through that eventful but disastrous campaign. In the battle of Stillwater, in 1777, the main body of the army was the right wing; the left wing was composed of the brigade of Gen. Poor, consisting of Cilley's, Scammel's, and Hale's regiments of New Hampshire; Van Courtlandt's, and Lieutenant-Colonel Henry B. Livingston's, of New York, and two regiments of Connecticut Militia. He was present and witnessed the surrender of Burgoyne and his fine army to General Gates, the happy termination of the battles at Stillwater. He accompanied Arnold, in command of his New York regiment, to the relief of Fort Schuyler, then held by Gansevoort, who was closely besieged by St. Leger with his force of British and Indians, but St. Leger retreated upon Arnold's approach.

He afterwards commanded, as we will briefly relate, at Verplank's Point during the time of Arnold's treason. He maintained throughout his life the highest confidence of his fellow-countrymen. The Marquis de Chastelleux, who breakfasted with Col. Livingston, at Verplank's Point, writes of him in his journal, (1st Vol., page 94,) "This is a very amiable and well informed young man." In the spring of 1778 Lafayette was stationed at Albany. In March he went up to Johnstown, from which place he wrote to Col. Gansevoort a letter dated March 6th, 1778. This letter was enclosed in a letter from Col. Livingston, of the same date, of which the following is an extract: "Enclosed you have a letter from Major-General Marquis de Lafayette, relative to Col. Carleton, nephew to General Carleton, who has for some time been in this part of the country as a spy. The General apprehends he has taken his route by the way of Oswego, and begs you'll send out such parties as you may judge necessary for apprehending him."

The following is Lafayette's letter:

"SIR:—As the taking of Col. Carleton is of the greatest importance, I wish you would try every means in your power to have him apprehended. I have desired Colonel Livingston, who knows him, to let you have any intelligence he can give, and to join to

them those I have got by a Tory, about the dress and figure of Carleton. You may send as many parties as you please and everywhere you'll think proper, and do every convenient thing for discovering him. I dare say he knows that we are after him and has nothing in view but to escape, which I beg you to prevent by all means. You may promise in my name fifty guineas, hard money, besides all money, &c., they can find about Carleton, to any party of Soldiers or Indians who will bring him alive. As every one knows now what we send for there is no inconvenience to scatter (them) in the country, which reward is promised in order to stimulate the Indians.

"I have the honor to be, Sir, your most obedient servant,

"THE MARQUIS DE LAFAYETTE."

Col. Carleton, it is believed, was not apprehended. When, in 1700, Colonel Livingston had the command at Verplank's Point, he had but eighty men under arms, and there were but 3,086 in all at West Point and vicinity at the time of Arnold's treason, the number being stated in the papers found on the person of Major John Andre, after his capture. The papers given him by Arnold not only contained the number of the effective forces of the garrisons but also the full account of the distribution of the forces in the vicinity of, and at West Point, to inform and enable Sir Henry Clinton, when making the proposed attack upon West Point, which was the weakest and most vulnerable spot. A link of the great chain at Constitution Island was also to have been removed, leaving the river open for the ascent of the British vessels.

The British ship *Vulture* was anchored nearly opposite Verplanck's Point with Andre on board, who made known his place of retreat to Arnold, in the following manner: It was in the early forenoon of September 21st, 1780, that Arnold proceeded down the river in a small boat to Verplank's Point, and from there to Smith's House. At Verplank's Point, Colonel Livingston handed

him a letter which he had received under a flag of truce from Captain Sutherland of the British ship *Vulture*. The letter was dated the 21st of September, A. M., and pretended to remonstrate against an alleged violation of the rules of war by a band of men at Teller's Point. According to the letter a flag of truce had been shown at Teller's Point, inviting the officers of the ship to come ashore on military business, but as soon as the boat neared the shore it was fired upon by a concealed party of armed men hid in the brushwood on the bank. He had also sent a letter upon the same subject in question to Col. Livingston. Arnold's letter was in the writing of Major Andre, although signed by Captain Sutherland.

Arnold at a glance understood the meaning of the letter, that Andre was on board the British vessel waiting for an opportunity to have a secret interview with him. Arnold found some plan to answer Andre's letter, and appointed a place and time for a meeting, which meeting took place in a wood on the bank of the river on the night of September 21st, and early morning of September 22d, 1780. The light streaks of the early dawn of the 22d of September appeared in the Eastern sky, yet Arnold and Andre still held their conference, and still there was much to be said and many plans yet to be formed by both. Smith had repeatedly warned them to make haste, but they moved not until the near approach of day convinced them that with the light came danger to their plans of darkness and treason.

Andre, at length convinced of the importance of moving to a more secluded place, mounted a horse belonging to Arnold's servant, and concealing his own uniform by a long blue surtout coat, accompanied by Arnold, Smith, and Arnold's attendant, proceeded to Smith's house, (which is still standing,) about four miles distant. It is a stone house and stands upon the ascent of a hill, named Treason Hill, a few rods West of the main road leading from Stony Point to Haverstraw, and situated about mid-way between the above named places. In a room in the second floor of this

house the spy and the traitor remained concealed during the day of September 22d. Andre felt great uneasiness on the way to Smith's house, as his being in the enemy's lines without a flag or pass would subject him to the fate of a spy, if captured. The voices of the American sentinels and barking of dogs in the American lines near Haverstraw, filled the hearts of the party with fear, and it seemed to them the longest four miles that they had ever passed over.

Upon their arrival at Smith's house the sound of cannonading was heard in the direction of the British ship *Vulture*. For the ever watchful Col. Livingston, at Verplank's Point, seeing the *Vulture* anchored so near the shore, sent a party from Verplank's Point, and another party from Teller's Point, to fire upon the *Vulture*, which they did with light field pieces. This firing caused the *Vulture* to raise anchor and sail down the river out of range. Col. Livingston had, previous to this event, sent and asked Arnold at West Point for some heavy cannon, to enable him to destroy the *Vulture*, but Arnold refused the proposal, making some frivolous excuse. All the cannon Col. Livingston had was one field piece at Teller's Point, and one light four pounder at Verplank's Point. It was this light four pounder that saved West Point.

He also sent to Colonel Lamb, at West Point, for a supply of ammunition, who complied rather unwillingly, with the answer, "that he thought it but a waste of powder to fire at a Man of War with a four pounder." But this very cannonade caused a detention of Andre at Smith's house and his after capture, and thus West Point was saved. Col. Livingston made so good a use of his little four pounder that had it not been for a flood tide setting in, the *Vulture* would have been sunk.

Andre was very anxious when he heard the firing, but they remained at Smith's house all that day, where the whole plot was arranged. Andre was to return on horseback to the British lines on the East side of the river disguised as an American officer, and



supplied with passes from Arnold, and with all the important papers relating to West Point, placed in his stockings next his feet. The British troops were already embarked at New York under the pretext of going on an expedition to the Chesapeake, but in reality only waiting for Andre's arrival to proceed up the river to West Point. Arnold had agreed so to disperse the garrison in different directions, as if he feared an attack from the rear over the mountains, and send forces wherever he could, so as to leave but few men at any one point that could be concentrated together, thus enabling the enemy to take possession without meeting with much resistance.

Andre proceeded down the river and was captured at Tarrytown, and West Point saved. Colonel Livingston saw Arnold pass Verplank's, in his boat, when he escaped to the Vulture, and he afterwards remarked that such was his suspicion of Arnold, that had any of his boats been ready at hand he would have gone after him to enquire his errand.

Lossing, in his excellent work, the Field Book of the Revolution, gives the following: "The position of Col. Livingston, at Verplank's Point, with some circumstances that appeared suspicious, made him liable to be distrusted, for it might fairly be presumed that he was directly or indirectly concerned in Arnold's movements. By a brief letter Washington ordered Col. Livingston to proceed to headquarters immediately. Conscious of his integrity that officer promptly obeyed, he expecting his conduct would be subjected to a strict investigation. Washington made no enquiries, but told him that he had more explicit orders to give than he could well communicate by letter, and that was the object of calling him to the Highlands. 'It is a great source of gratification to me,' said the Commander-in-Chief, 'that the post was in the hands of an officer so devoted as yourself to the cause of your country.' Washington's confidence was not misplaced, for there was not a purer patriot in that war than Henry B. Livingston." He was a most worthy brother of the Chancellor. In Hunt's Life



of Edward Livingston I found the following: "During Lafayette's triumphal visit to this country in September, 1824, the steamboat James Kent was chartered by the citizens of New York to carry their illustrious guest upon an excursion to Albany, stopping wherever he might wish along the river. On the way up the party spent a morning with General Morgan Lewis and Gertrude Livingston, at their country seat at Staatsburgh, and passed the evening festively at Clermont, being entertained by the heir of Chancellor Livingston. After leaving Staatsburgh the Marquis inquired of Colonel Fish, 'Where is my friend Col. Harry Livingston?' Soon afterwards, while the steamer was at Kingston dock, Col. Livingston having crossed the river in a small boat from Rhinebeck, came on board. As soon as their eyes met, the two friends, the Marquis and the Colonel, now old men, rushed into each other's arms, embraced and kissed each other, to the astonishment of the Americans present. The Colonel had served under Lafayette in Rhode Island and at Valley Forge." Colonel Livingston lived a life of usefulness, and died at his residence in Columbia County, November 5th, 1831, aged 81 years, all to four days.

## CHAPTER XXI.

## JOHN R. LIVINGSTON.

The third son of Judge Robert R. Livingston, John R., was born February 13th, 1755, and was married to Margaret Sheaffe, in 1779,\* and married a second wife, Miss Eliza McEvers, in 1788. He had several children. He volunteered several times during the war and was very active in erecting powder mills to supply the army with the powder the country then so much needed. He lived a long and prosperous life, and was the last survivor of this numerous family. More than half a century ago he was one of our principal merchants, and lived in Broadway, New York, upon the site where Mrs. Plummer's Broadway House used to stand. He there lived in style and entertained with princely hospitality. He in after years retired to his splendid estate in the town of Red Hook, Dutchess County, New York, on the banks of the Hudson, about a quarter of a mile from the present Barrytown Station. This fine country seat is now owned by Mr. John Aspinwall, who has put it in superb order. Here John R. Livingston expired in the month of November, 1851, aged 96 years, a most remarkable age, almost a century old.

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\*"Margaret Sheaffe married John R. Livingston, then a Boston Merchant. She died in Boston in 1784 at the age of twenty-four. 'So handsome no one could take her picture,' LaFayette visited and admired her. He said once to her lover, 'Were I not a married man I would try to cut you out.' After his return to France the Marquis sent her a satin cardinal, lined with ermine, and an elegant silk garment to wear under it. The relic was long preserved."—*Mrs. Ellet's Queens of Society*.

## CHAPTER XXII.

## BIRTH, YOUTH AND MARRIAGE OF EDWARD LIVINGSTON.

Edward Livingston, the youngest son and youngest child of Judge Robert R. Livingston, whose large family, as before stated, consisted of four sons and seven daughters (one daughter dying in infancy,) was born at Clermont, Columbia County, New York, on the 28th May, 1764. All his brothers and sisters, with one exception, lived to what might be called old age, or from sixty-six to ninety six years of age. Such a record is seldom found where all members of one family live to the age of even sixty-six years. He, as well as all his brothers and sisters, were born under the government of Great Britain, and died under the free Republican form of government of the United States, which they as individuals, and as a family, had given time, talent, and fortune to establish and erect upon its present firm basis. Hunt, in his life of Edward Livingston, states: "That Edward Livingston in mature life conceived the plan of writing a novel, in which the characters should be drawn faithfully from his own memories of the actual group, of which his grandfather was the central figure. He appears to have written but one chapter. The fragment is headed with the couplet,

"Scenes in sad remembrance set,  
Scenes never, never to return."

Edward Livingston when a boy was noted for the remarkable sweetness and gentleness of his disposition. Although too often the case that the youngest in most families turns out to be what is often called a spoiled or self-willed child, in his case it was not so. His first teacher, as we stated in our sketch of Chancellor Livingston, was the Dutch Reformed Clergyman, 'Dominie Doll.' He was about nine years of age when his eldest sister, Janet, was married to the heroic General Richard Montgomery, who about two years after this left home on his Northern campaign. About this time Edward's father, the Judge, and his grandfather died, and as troubles never come single, soon after came the news of the death of General Montgomery before the walls of Quebec. Therefore Edward's tender years were darkened by the clouds of sorrow.

But in our baby life our feelings are not deep, and like the morning dew upon the flower, the sunshine of life soon dries up all tears. Edward soon after this was sent to a boarding school at Albany, and afterwards to another school at Esopus. Every Saturday he returned home to Clermont, walking the entire distance of eighteen miles, and back again to school every black Monday morning. These walks improved his health and gave him the vigorous constitution which lasted throughout his life. The walk from Esopus to Clermont always appeared to him much shorter than the Monday return trip. His school was broken up for a time when the British advanced upon Esopus, and did so much damage, as related in a previous chapter.

He was home at the time that his mother's house was burned at Clermont, and formed one of the number that retreated at the approach of the troops; doubtless as a boy he enjoyed the excitement and confusion incidental to the removal and sudden departure. It was in 1779 that he entered as a junior in Nassau Hall College, Princeton, New Jersey, and there he graduated in 1781, at the age of seventeen. In the *Life of John Jay*, by his son William Jay, Vol. 1, Page 174, in a letter of his written to Chancellor Livingston, from Paris in 1783, he writes: "I send you a box of

plaister copies of medals ; if Mrs. Livingston will permit you to keep so many mistresses, reserve the ladies for yourself, and give the philosophers and poets to Edward."

After leaving college Edward studied law in the office of John Lansing, in Albany, who was afterwards the second Chancellor of the State of New York. Among Edward Livingston's fellow students were James Kent, Alexander Hamilton, Aaron Burr, and many other men afterwards distinguished in their country's book of fame. After leaving Albany he studied law in New York from 1783 to 1785, in which latter year he commenced the practice of law. He devoted all his spare time to study. There numbered at this time in the city of New York only about forty members of the bar, amongst whom were Robert Troup, Egbert Benson, Brockholst Livingston, Melanthon Smith, Aaron Burr, Alexander Hamilton, Ogden Hoffman, and James Kent.

The Courts were held in old Federal Hall, Wall Street. Edward Livingston resided with his mother in the winter season at No. 51 Queen Street, (now called Pearl Street,) near Wall. Here he had his office in the basement front room. His mother removed to the Manor House at Clermont in summer, where Edward rejoined her when business was slack enough to permit of his leaving the city. It was at this city mansion that Lafayette and many officers and distinguished men called in to spend a pleasant evening, and as all members of the family could speak the French language well, it made it agreeable to the French officers.

Mrs. Livingston always retired early, at ten o'clock. But Mrs. Montgomery and some of her sisters would often join the guests at a game of whist, or unite in some brilliant and instructive conversation. Mrs. Ellet, in her "Queens of American Society," thus writes of the pleasant society in New York in those good old times : "The dignity of office was then maintained by forms designed to inspire respect, and special regard was paid to the wives of men who had deserved much of their country. The widows of



Greene and Montgomery were always handed to and from their carriages by the President himself, the Secretaries and gentlemen of his household performing those offices for the other ladies. These New York gayeties in 1788 had been increased by numerous weddings in fashionable circles. M. de Marbois, French Charge d'Affaires, had married Miss Moore."

About this time there figured in New York society three beautiful sisters, the daughters of Charles McEvers, Esq. The eldest daughter, Mary, had smitten the heart of Edward Livingston, and this love was reciprocated by her. "It was at one of Mrs. Washington's evening drawing rooms, owing to the lowness of the ceiling, the ostrich feathers in the head dress of Miss Mary McEvers, a distinguished belle in New York, took fire from the chandelier, to the general confusion and alarm. Major Jackson, Aid-de-Camp to the President, flew to the rescue and clapping the burning plumes between his hands extinguished them. This lady married Edward Livingston, the Minister to France."

Edward Livingston was married to Miss McEvers on April 10, 1788. From the time of this marriage to 1794 he led a quiet domestic life, free from care, and obtained a high reputation as one of the most eminent men in his profession in New York. In 1794 his political life commenced, he being nominated and was elected as a Representative in Congress, to the fourth Congress of the United States. This election took place in December, 1794, and he was re-elected to the fifth and sixth Congress, in 1796 and 1798. The city of New York at that time consisted of but one Congressional district. In the first election John Watts was his opponent, in the second James Watson, and in the third his relative, Philip Livingston.



## CHAPTER XXIII.

## EDWARD LIVINGSTON IN CONGRESS.

It was on the 7th of December, 1795, that Edward Livingston took his first seat in Congress. He belonged to the opposition party under both the administrations of Washington and Adams. He made but few speeches, but what he did say was always dignified and to the point, free from abuse of those that differed from him in opinion, evidently thinking and acting up to the idea that every man is entitled to have and express an opinion of his own. Among the members of the House of Representatives at that time were Fisher Ames, Theodore Sedgwick, of Mass., Albert Gallatin, of Penn., William B. Giles and James Madison, of Virginia, and Andrew Jackson, of Tennessee.

In 1796 Edward Livingston presented a measure for the protection of American Seamen who had been impressed into the English service. He succeeded, but not without opposition, in the passage of the Act in May, 1796. In March and April of that year, great debates and much excitement occurred in the House, over the proposal to make an appropriation to carry into effect Mr. Jay's treaty with Great Britain. On the 19th of March Mr. Livingston rose to speak, which speech occupied nearly one day. The following is a lively passage from it ;

"Thus to whatever source of argument we refer we find the constitutional power of this House fully established. Whether we recur to the words of the constitution where the power is expressly given, and is only to be lost by implication; whether we have recourse to the opinions of the majorities who adopted the constitution, to the uniform practice under it, to the opinions of our constituents as expressed in their petitions, or to the analagous proceedings in a government constructed in this particular like our own; yet after all this we are told that if we question the supremacy of the treaty making power we commit treason against the constitutional authorities, and are in rebellion against the government. These are grave charges and made in improper language. I have not been so long in public life as these gentlemen who make them, but I will boldly pronounce them unparliamentary and improper. Besides this language is wrong in another view; it may frighten men of weak nerves from a worthy pursuit. For my own part when I heard the member from Vermont compare the authority of the President and Senate to the Majesty of Heaven, and the proclamation to the voice of thunder; when he appealed to his services for his country and showed the wounds received in her defence; when he completed his pathetic address by a charge of treason and rebellion, I was for a moment astonished at my own temerity. His eloquence so overpowered me that

Methought the billows spoke and told me of it,  
The winds did sing it to me, and the thunder,  
That deep and dreadful organ pipe, pronounced  
The charge of treason.

I was, however, relieved from this trepidation by a moment's reflection, which convinced me that all the dreadful consequences arose from the gentleman's taking for granted that which remained to be proved. He had only assumed that the measure was unconstitutional and the rest followed of course. From my soul I honor the veteran who has fought to establish the liberties of his country. I look with reverence on his wounds, I feel humbled in his presence, and regret that a tender age did not permit me to share his

glorious deeds. I can forgive anything that such a man may say when he imagines the liberty for which he has fought is about to be destroyed, but I cannot extend my charity to men who, without the same merits, coolly re-echo the charge."

The above is but a very short specimen of the power of Edward Livingston as an orator. But we do not propose in our short sketches of these distinguished men to give lengthy debates. Our limits and the purposes of this work would be destroyed by so doing, but we merely wish to state facts in as concise a manner as possible. Mr. Livingston was re-elected to a second term in Congress by a majority of 550 votes. Alexander Hamilton labored very hard to defeat him, endeavoring to elect his friend, Mr. James Watson. In 1798 the Naval Department was established by law. The Federalists favored it and the Republicans opposed it. Mr. Livingston on the side with his party spoke and voted in opposition to it, but it passed the House by a small majority. He also opposed two laws called the Alien and Sedition laws, both passed by that Congress.

In 1798 Mr. Livingston presented a measure, which passed in Congress, for the payment of an annuity to each of the four (orphan) daughters of the Count de Grasse—an annuity of about \$400 a year to each for the term of five years. Mr. Livingston was re-elected for the third time to Congress in April, 1798, with a majority of 175 votes. He was not a candidate for the Seventh Congress, and was succeeded by Dr. S. L. Mitchell. At this time Thomas Jefferson was elected President of the United States. The electoral vote stood as follows: Mr. Jefferson 73; Mr. Burr 73; Mr. Adams 65; Mr. Pinckney 64; and Mr. Jay 1. The vote for Mr. Jefferson and Mr. Burr being a tie, had to be voted over by the Representatives in Congress. On the thirty-sixth ballot Jefferson received the vote of ten States, and Burr of four States, and two blanks. Mr. Jefferson was therefore declared President, and Mr. Burr, Vice President. Mr. Livingston was a very strong adherent for Thomas Jefferson.

## CHAPTER XXIV.

EDWARD LIVINGSTON, ATTORNEY FOR UNITED STATES AND MAYOR OF  
NEW YORK.

On the 13th of March, 1801, Mr. Livingston lost his beloved wife which loss left him a widower with three children, viz : Charles Edward, born in 1790, Julia Eliza Montgomery, born in 1794, and Lewis, born in 1798. In his Bible he made the following record of his wife's death : "On the 13th of March, 1801, it pleased Heaven to dissolve a union which for thirteen years it had blessed with its own harmony, with an uninterrupted felicity rarely to be met with ; formed by mutual inclination in the spring of life, it was cemented by mutual esteem in its progress, and was terminated by a stroke as sudden as it was afflictive."

In the same year, 1801, he received from Mr. Jefferson the appointment of Attorney of the United States, for the District of New York, and was soon after selected as Mayor of the city of New York, and entered upon that office the 24th day of August, 1801. The population of New York at that time was about fifty thousand. Before him DeWitt Clinton and Richard Varick had both occupied the office. Mr. Varick had been removed by the Republican party in New York and Albany to make room for Mr. Livingston, which caused great dissatisfaction in the ranks of the

Federalists who gave a public dinner to Mr. Varick. Mr. Livingston was thirty-seven years of age when selected as Mayor of New York.

In those days to be elected to the mayoralty was considered a great honor. But in these degenerate days it is considered everything else than an honor, as the office has since been filled, of course, by many good men and also by many men whose honor was not bright, and whose records are far from creditable to the city of New York. Edward Livingston laid the corner stone of the present City Hall in 1803, which was about the outskirts of the city limits. Mr. Livingston then resided at No. 1 Broadway, overlooking the Battery, which was then the fashionable neighborhood. In the vicinity lived the Goelet's, Van Horne's, Goodhue's, Livingston's, Clarkson's, Campbell's, Beekman's, Clinton's, Cruger's, DePeyster's, Morris's, Van Cortlandt's, Van Rensselaer's, Schuyler's, &c., and most of the old merchants of the city.

Mr. Hunt, in his *Life of Edward Livingston*, gives the following anecdote of Mayor Livingston: "The late Honorable Charles J. Ingersoll, during the last month of his life, gave me from his own memory after a lapse of sixty years this anecdote: On a visit at New York, during the period referred to, he escorted the celebrated Theodosia Burr to see a frigate then lying in the harbor upon the invitation and in the company of the Mayor. On the way the latter, in the liveliest manner, exclaimed to the young lady, 'Now, Theodosia, you must bring none of your sparks on board. They have a magazine there and we should all be blown up.' Another anecdote is the following: 'One of his nieces, Mrs. L——, of Rhinebeck, has lately told me what she remembers well; that during the same period, when she was about sixteen years of age, and spending a winter with her uncle she once said in his presence, while talking of the play which she had seen the evening before, 'Oh, I wish I could go to the theatre every night.' 'Well, my dear,' said the Mayor, 'you shall, you shall,' and he actually went with her to see every representation there on each



alternate night for two or three weeks, until she voluntarily begged that the pleasure might be intermitted."

Edward Livingston always abounded with wit and humor and was ready for a good laugh at all times. In 1803, from July to October, New York was visited by that scourge, the yellow fever. During these trying days the Mayor remained like a faithful sentinel at the post of duty, doing his utmost to prevent the spread of that fearful pestilence and to relieve the necessities of the sick poor of the city. But he was at last taken down with the disease himself, and but for his vigorous constitution, with the kind nursing and attention of his numerous friends, would probably have fallen a victim to the destroyer. His son, Charles Edward, had died the year previous, in November 1802, at the age of twelve years; he had always been in feeble health.

Mr. Livingston having more to occupy his time after his recovery than he possibly could attend to himself, hired a clerk, who was a Frenchman, and having so much to do in various parts of the city, on account of the sickness, left most of the office duties in the hands of this man, and neglected to look over his books as he should undoubtedly have done. This clerk appropriated large sums of the public money for his own use in a dishonorable course of living, and involved Mr. Livingston in large amounts due the public. As soon as Mr. Livingston discovered how matters stood he gave bonds on his own property to cover the amount to the sum of \$100,000; the amount short was afterwards discovered to be \$43,666. Mr. Livingston also resigned both the offices he held. He received the following letter from Governor Clinton:

*"To Hon. Edward Livingston, Esq., Mayor of the City of New York:*

"DEAR SIR:—I have the honor of receiving your letter of the 19th inst. I sincerely regret, as well from considerations of a personal, as of a public nature, the cause which has induced you to offer a resignation of the highly important office you hold, and

which you are so eminently qualified to fill. My absence from home has prevented me from thanking you at an earlier day for your obliging favor of the 19th inst.

“I am with great esteem and respect,

“GEORGE CLINTON.”

He also received a parting address from the Common Council of New York, which ends as follows: “Be assured, sir, that our attachment to your person, and gratitude for your services, will endure with the recollection of your virtues, and that you bear with you our lasting regret and esteem, and our prayers for your prosperity and happiness.” Signed by a Committee of the Board.

About this time Louisiana had been ceded to the United States by Napoleon, the First Consul of France, which negotiation had been successfully accomplished by the skill of Chancellor Livingston, then our Minister to France. Edward Livingston now determined to go to Louisiana and establish himself as a member of the bar in New Orleans, as a new field of labor was presented there. Leaving his children under the care of his brother, John R. Livingston, who had married the sister of his wife, Eliza McEvers, he left New York in December, 1803, with but \$100 in gold and a letter of credit for \$1,000 more, to seek fortune in this new country now united to the States.

## CHAPTER XXV.

## EDWARD LIVINGSTON IN NEW ORLEANS.

He arrived at New Orleans, after being over six weeks on the passage, February 7, 1804. Its population at that time was only 8056, mostly Frenchmen, Spaniards, and Creoles. But he soon received as much employment as he could attend to, for in the May Court he had twenty-nine cases to appear in as counsel. He wrote as follows to his sister, Mrs. Garrettson, May 27th.

“My profession and other circumstances have given me a very extensive acquaintance in the province, and the impressions I have received are very favorable to the character of the inhabitants. They are in general, hospitable, honest, and polite, without much education, but with excellent natural abilities, and in short, people with whom a man who had nothing to regret might pass his life as happily as can be expected in any part of this uncertain world. It now seems decided that I must be separated from all the friends of my early life for an uncertain length of time, from some of them probably forever. This is an idea I did not wish to entertain, but circumstances have forced me to contemplate it until I have become enabled to regard it, if not with composure and tranquility, at least with the resignation arising from necessity. The labors of a great portion, if not the whole of my life, are now pledged to others, for

I must fear that the losses on selling real estate will leave a large deficiency in the fund appropriated for my debts. I must make this up, and as I have a better prospect of effecting it here than at New York, I am in justice bound to remain. The separation from my children is the hardest trial, but I cannot, without the greatest injustice to Julia, take her from the truly maternal protector she has found, and I must try the effects of the summer climate before I will indulge myself with the society of my little Lewis, whose education I can myself direct."

This little boy went with his aunt and her husband, General Armstrong, to Paris, as General Armstrong had been appointed Minister there. Edward Livingston possessing a knowledge of French, Spanish and German, enabled him to get through with many cases that other members of the bar, not knowing the above languages, would be unable to accomplish. He belonged to a fraternity of Free Masons, and was President of the New Orleans Lodge. He instituted the shortest code of procedure in the mysteries of the law known in those days. On the 3d day of June, 1805, Edward Livingston entered for the second time into the marriage state.

Mrs. Ellet, in the "Queens of American Society," thus describes the lady he married: "Edward Livingston married in June, 1805, the young widow of a Jamaica Agent, Louise Moreau de Lassy, born Davera de Castera, (her maiden name.) Her beauty was described as extraordinary, and to wondrous graces of person, she added a brilliant intellect. In 1834, when Edward Livingston, who had been Secretary of State, accepted the appointment of Minister to France, he was accompanied by Mrs. Livingston and his daughter. Mrs. Livingston was born in one of the West India Islands; her family, driven from home by the horrors of revolution, came to New Orleans; her brother was Minister from the United States to the Hague."

She was possessed of rare intellectual attainments as well as personal attractions, her manners were gentle and refined, and she

was brilliant in conversation, for her well stored mind and extensive observation fitted her to shine among the cultivated. Her daughter, Cora, inherited her mental qualities and her loveliness. She was in Washington with her parents when it was menaced by the British troops in 1814. Amid the hurly-burly, says Parton in his *Life of Jackson*, "The grim and steadfast warrior found time to caress and love the little girl who sat on his lap and played around his high splashed boots at headquarters, while he was busy. For her sake he retained one of his horses from the public service. When Edward Livingston did not return to New Orleans, Major Mitchell, the English officer in rank among the prisoners, was held as a hostage for the safety of the Americans in the British fleet. One day General Jackson calling on Mrs. Livingston found her in great anxiety about her husband. Cora, the little girl, whimpered, "When are you going to bring me back my father, General? The British will kill him." The mighty man of war stooped and patting the little one on the head, said, "Don't cry, my child, if the British touch so much as a hair of your father's head I'll hang Mitchell."

"Miss Livingston was famous as the belle of Washington, in the time of General Jackson's administration. She was married to Thomas P. Barton, who went as Secretary of Legation on the mission to France. The party traveled through Switzerland and Germany. At Heidelberg Professor Mittermaier, the voluminous and enlightened advocate of jurisprudential reforms, (called the German Brougham,) received the card of Mr. Livingston, with whom he had corresponded. He came to the hotel, and on seeing him rushed into his arms, clasped and kissed him, to the surprise and amusement of the ladies. When Mr. Livingston returned home Mr. Barton was left as Charge des Affaires. He came to the United States in 1836, bringing water for the fire between Jackson and Louis Philippe. Mrs. Barton continued to reside at Montgomery Place, after her mother's death in 1860. Mr. Livingston's rooms were kept in the same state as when occupied by him. She has for many years resided in New York (in winter.)"



"A lady thus described an evening scene at the Executive Mansion in the early part of Jackson's administration: 'The large parlor was scantily furnished; there was light from the chandelier and a blazing fire in the grate, four or five ladies sewing round it, Mrs. Donelson, Mrs. Andrew Jackson, Mrs. Edward Livingston, &c. Five or six children were playing about, regardless of documents or work-baskets. At the farther end of the room sat the President, in his arm-chair, wearing a long loose coat and smoking a long reed pipe, with bowl of red clay—combining the dignity of the patriarch, monarch and Indian chief. Just behind was Edward Livingston, the Secretary of State, reading him a dispatch from the French Minister for Foreign Affairs. The ladies glance admiringly now and then at the President, who listens, waving his pipe towards the children, when they become too boisterous..'"

But we must return to where we left off. Mrs. Livingston, before her marriage, with her mother and brother, fled from St. Domingo after the revolution on that Island, in which her father, two brothers and her grandmother were killed. She, herself a widow at the early age of seventeen, her infant sister, and her brother Auguste, narrowly escaped massacre, but arrived in safety in the United States by different vessels and afterwards all met together in New Orleans.

Edward Livingston had but one child by this marriage, the daughter above mentioned. Soon after his marriage he became involved in a controversy with the government of the United States for some low lands he possessed along the Mississippi river; it was called "The Batture Controversy," but it would take more space than my limits will afford to give the full account of it, and not being of a very interesting nature to any but a lawyer, I will here give but a short letter from Chief Justice, afterwards Chancellor James Kent, addressed to Edward Livingston at New Orleans on this subject.

"ALBANY, May 13, 1814.

"DEAR SIR :—Your favor of the 9th ult, was just now received,

and I am sensible of the honor done me by the value which you are pleased to attach to my legal opinions. On all questions depending on the civil law my researches are very imperfect, and I know you are infinitely my superior, and if I had any doubt of your title to the Batture after reading Jefferson's pamphlet, your reply had completely removed it. I purchased the reply as soon as I heard it was to be procured, and before the one you was so kind as to intend for me came to hand, and a more conclusive argument I never read. Permit me to assure you that I have sympathized with you throughout the whole of the controversy, as I took a very early impression that you was cruelly and shamefully persecuted, and that too by the Executive authority of the United States. I am more and more confirmed in this opinion, and Mr. Jefferson has richly merited all the reproach and indignation which your pamphlet conveys. I never doubted in the least (it would have been impossible,) that his interference, summarily under the act of Congress, was unauthorized; but as I read at once his book on the title and did not examine his authorities, but assumed them to have been fairly cited, I was left in perplexity and doubt, and had not leisure to sit down to a re-examination of the subject; when your reply came I read it eagerly and studied it thoroughly, with a re-examination of Jefferson's as I went along, and I should now be as willing to subscribe my name to the validity of your title, and to the atrocious injustice you have received, as to my opinion contained in Johnson's Reports. This last pamphlet is the ablest work with which you have hitherto obliged the public, and it gives you new and increasing claims to their consideration. I always recollect with pleasure and tenderness the friendship of former days, and I cannot omit any opportunity to assure you of my constant esteem and regard.

"I am, dear sir, yours sincerely,

"JAMES KENT."

Mr. Livingston was out for a walk one day and returning home completely drenched, his wife in surprise said to him, "You look

as if you had been in the river." "And so I have," he replied. "As I was walking on the Levee I amused myself watching the progress of a little boat crossing the river with a solitary man rowing it. Suddenly, from some imprudent motion, the boat pitched on one side and the man fell into the water. Evidently he could not swim. I threw off my coat, jumped in, got hold of the man just as he appeared to be sinking, and brought him to the boat which was righted. He seized the side and clambering in rowed off without looking at me, I suppose because I had not been properly introduced to him, and I was left to find the shore as best I could, which, loaded as I was with clothes and boots, was not so easy a matter."

His daughter Julia was grown up, but so delicate that she went into a decline, and her father hearing of her illness sailed for New York, but she was dead and buried before he arrived there. This was a terrible shock to him. His son Lewis was still in Paris and corresponded with his father.

Soon after Edward Livingston's return to New Orleans, war broke out between the United States and Great Britain, and in the fall of 1814 the citizens of New Orleans feared an invasion by the British. On the 15th of September, 1814, a meeting of the citizens of New Orleans took place, at which meeting Edward Livingston was President. He addressed the meeting and urged the inhabitants to make immediate preparations to repeal the contemplated invasion. They appointed a Committee of Safety, composed of the most distinguished citizens of New Orleans, with Livingston as Chairman, who sent forth a stirring address to the people. Governor Claiborne, who, like Livingston, believed the statements of Lafitte, sent copies of the British papers to General Jackson, then at Mobile. The patriotic fire in the bosom of that hero glowed with tenfold intensity when this scheme of invasion was laid before him. He issued a stirring appeal to the inhabitants of Louisiana; and on the same day he addressed a proclamation to the free people of color in that State, inviting them to unite

under the banner of their country for the purpose of contributing to its defense.

On the 21st inst. the news was received at New Orleans of Major Lawrence's gallant defence of Fort Bowyer, at Mobile Point, where he gained a most brilliant victory. In May, 1814, Jackson received the appointment of Major-General in the Army of the United States. Edward Livingston, at the head of a committee, was the first to welcome him, and furnished him with plans and other important matters relating to the defense of the city. The General dined with him, and from that day they became inseparable friends. His son Lewis had been sent for to return home from Paris, and after his arrival was a great comfort and assistance to his father. Lewis wrote as follows to his aunt, Mrs. Montgomery, from New Orleans, dated 16th of December 1814 :

"General Jackson arrived here about a fortnight since, and I have been all this time with him, visiting the different posts. He has promised to receive me into his staff. To-morrow I am to have my appointment as Engineer, with the rank of Captain, or Lieutenant, I know not which. Great bustle but little alarm now prevail in town. We daily expect the enemy to make an attack upon this place. We are ready, however, to receive them. All the Militia are now doing duty, and will leave town in a few days, and all do it with pleasure ; they vie with each other in showing their zeal. There now reigns but one party ; all are determined to oppose the enemy, and even my father, seized with a patriotic or military ardor, has offered himself and has been received as volunteer aid to General Jackson. The Martial law was published this morning, and is now in execution. But I am writing a newspaper, not a letter."

Lewis Livingston received the place of Assistant Engineer, with the rank of Captain. On the 18th of December General Jackson reviewed the troops, and Edward Livingston delivered an address to them. Fighting soon after commenced, and General Jackson used cotton bales as breastworks. He took a large number of

bales of a Mr. Nolte, who complained to Mr. Livingston of his loss, and in his work called "Nolte's Fifty Years in Both Hemispheres," he describes Mr. Livingston's reply, which was, "Well, Mr. Nolte, if this is your cotton, you at least will not think it any hardship to defend it." On the 8th of January the decisive battle was fought and won, and the following letter from Captain Lewis Livingston to Mrs. General Montgomery thus describes the triumphal entrance of General Jackson and his army into the city after the victory: "Was there ever a finer sight, or a more affecting one than that which presented itself to our view on the 23d ultimo, when the main body of the army, mostly composed of fathers of families, returned, with their brave and modest leader, General Jackson, at their head, amidst the acclamations of an immense multitude of old men, women and children, (the only ones who did not share in the dangers of the field,) who all hailed him as the saviour of their country and themselves. On the 24th the General accompanied by all his staff, proceeded to the Cathedral, where a grand *Te Deum* was to be sung. On the public square facing the building, was erected a triumphal arch. On both sides of this a few steps back, were stationed our best looking troops, and in front of these, nearest to the arch, were to be seen eighteen young ladies, dressed in the same apparel, and each representing one of the States. In the middle of the arch there were two little children, standing on two thrones, erected on both sides, between the columns of the arch. Each held a crown in her hand. General Jackson easily found out who they were for. His modesty suffered, but he was obliged to submit. He passed through the arch and was crowned amidst the huzzas of the Americans and acclamations of the French, who did not dare to repeat "Vive Jackson! Vive Notre General."

In the year 1815, Edward Livingston's son, Lewis, left New Orleans for the North, purposing to obtain the best teachers in New York for the finishing of his education. In the summer of 1818 Governor Clinton, of New York, commissioned Lewis Livingston



to proceed to Canada and to remove to New York the remains of General Montgomery, who fell in front of Quebec.

About February 15th, 1819, the Batture litigation between Edward Livingston and the United States Government before referred to, had been decided adversely to Mr. Livingston, and his son Lewis, -writing to his aunt, Mrs. Montgomery, thus alludes to it: "My father in the evening of his days finds himself robbed of his property."

But Mr. Livingston bore up under this as well as the many trials of his life with patience and resignation. In 1820 he accepted a seat in the lower house of the Louisiana Legislature, and in the winter of 1821, his son Lewis's health failing and becoming very feeble, his physicians advised him to travel in Europe. He concluded to go, and accordingly sailed in April of that year. He remained in France without any improvement to his health until November, when he took passage for New Orleans, but died on the passage on the 25th of December, and was buried by strangers at sea ; sad indeed, and another trial for his poor father.

## CHAPTER XXVI.

## THE LIVINGSTON CODE, ELECTION TO CONGRESS, AND SECRETARY OF STATE.

Edward Livingston in the year 1821 was elected by the General Assembly of Louisiana to revise the Laws, particularly the criminal laws, of the State. He formed what was afterwards called the Livingston Code, which obtained a great reputation. The following Act, framed and urged by him, for the abolition of capital punishment, was not passed in the State. As a substitute to punishment by death he offered that the culprit be imprisoned in a cell painted black, and that "his food is bread of the coarsest kind ; his drink is water mingled with his tears ; he is dead to the world. This cell is his grave ; his existence is prolonged that he may remember his crime and repent it, and that the continuance of his punishment may deter others from the indulgence of hatred, avarice, sensuality and the passions which lead to the crime he has committed. When the Almighty in his due time shall exercise towards him that dispensation which he himself arrogantly and wickedly usurped towards another, his body is to be dissected and his soul will abide that judgment which divine justice shall decree."

The name of Edward Livingston had become celebrated throughout the world, Victor Hugo wrote to him, "You will be num-

bered among the men of this age who have deserved most and best of mankind." He was unanimously elected to Congress, without opposition, in July, 1822, and afterwards again twice elected, therefore served six sessions as Representative from Louisiana. In Congress at this time were Clay, Randolph, Webster, Van Buren, and Benton. In 1828 he was elected as Senator of the United States, and became a Senator on the same day that his friend, General Jackson, became President of the United States. He discharged the duties of Senator until March, 1831, during his term delivering many speeches of great power.

In the year 1828 his eldest sister, Janet, widow of General Montgomery, died, and leaving no children, left her splendid farm and country seat of Montgomery Place to him, as well as the greater part of her fortune. Mr. Livingston left Washington and removed there in March, 1831, but had not enjoyed the sweetness of quiet life among the beauties of the flowers and the charms of this delightful retreat over a month, when he received a letter from Mr. Van Buren, dated Washington, April 9th, 1831, requesting him to come immediately to Washington. Arriving at Washington, he wrote the following letter to his wife, a few extracts from which I give here :

"WASHINGTON, Saturday night."

"Guess until you are tired, my dear Louise, and you will not hit on the cause of my summons to this place. An offer is made to me of a place that would be the object of the highest ambition to every politician ; it is pressed upon me with all the warmth of friendship, and every appeal to my love of country. The selection I think, except the first place, a good one—E. L., Sec'y of State ; H. L. White, War ; McLane, Treasury ; Woodbury, Navy."

He returned home and at last concluded to accept, and arrived at Washington on May 24th, and entered upon his new office of Secretary of State. The following letter he wrote to his wife in June : "Here I am in the second place in the United States, some say the first, in the place filled by Jefferson, Madison, and Monroe,

and by him who filled it before any of them, my brother (Chancellor Livingston, Secretary of Foreign Affairs from 1781 to 1783.) In the place gained by Clay, at so great a sacrifice, in the very easy chair of Adams, in the office which every politician looks to as the last step but one in the ladder of his ambition ; in the very cell where the great magician, they say, brewed his spells. Here I am without an effort, uncontrolled by any engagements, unfettered by any promise to party or to man ! Here I am, and here I have been for a month. I now know what it is ; am I happier than I was ? The question is not easily answered ; had the bait never been thrown in my way ; had I been suffered to finish the graft I had begun when your letter summoned me from the country ; had I been permitted to stay and watch its growth until the fall ; to wander all the summer through the walks you had planned ; to see my daughter improving in health and spirits ; now and then to plan a pic-nic, or plague myself in the vain attempt to catch a trout ; to have exclaimed on hearing of what happened here, among them be it ; and taken the opinions of my two heads of departments—Shoemaker on the crop of Wheat, and Owen on the Celery bed—could I have passed my summer thus, and taken my independent seat in the Senate in the winter, I could then have answered the question readily. But the temptation was thrown in my way ; the prize for which so many were contending was offered to me ; the acceptance of it was urged upon me ; if I had rejected it I think it would have been a source of regret that would have made me undervalue the real enjoyments for which I refused it—such is human nature. But as yet I cannot form a proper judgment of the value of my place. My wife and daughter have not been with me, and if the mental exercise and laborious attention it requires have enabled me to bear the solitude I am in, they will turn to positive enjoyment when you are with me, for I now see that I can master the difficulties of the office, and although they will be increased during the session, if my health be preserved I shall not fear them. All this we have thought and said a hundred times. Why I repeat it I cannot tell, except that running in my

mind it flowed from my pen, as all my other thoughts do when I write to you."

Towards the latter part of the year 1832, General Jackson took his determined stand against the nullifiers of South Carolina, and being formed of different material from our late President, James Buchanan, he soon nipped that rebellion in the bud. The celebrated proclamation of December 10, 1832, is written entirely in Edward Livingston's handwriting. General Jackson wrote the following letter to him :

"DEAR SIR :—I submit the conclusion of the proclamation, for your amendment and revision. Let it receive your best flight of eloquence to strike to the heart and speak to the feelings of my deluded countrymen of South Carolina. The Union must be preserved without blood, if this be possible ; but it must be preserved at all hazards and at any price.

"Yours with high regard,

"ANDREW JACKSON."

"E. LIVINGSTON, Esq., Dec. 4, 1832, 11 P. M."

The following was the proclamation decided upon at first. This was in Edward Livingston's hand-writing :

"My countrymen, the whole of the momentous case is before you. On your concord, on your undivided support depends the decision of the great question it involves. Public opinion everywhere is powerful ; here it is omnipotent. If you should decide, fatally, in my opinion, decide, that a State may annul an act of Congress, or secede from the Union, if even any important part of the nation should concur in the Carolina doctrines on this subject, it cannot change my conviction of duty or prevent my attempts to execute it, though it may render those attempts inefficient. But if, as I trust, only one spirit shall pervade the nation, and that spirit shall inspire a cry from Maine to Louisiana that the Union must be preserved, the voice will be obeyed, the Union will be preserved ! We shall still be a nation respected the more for the decis-



ion we shall have shown in a time of no common danger. New confidence will be inspired in republican institutions, and we may yet hope to hand them down to our children, unimpaired, preserved, invigorated by our prudence, our wisdom and courage in their defence. Unanimity and a strong unequivocal expression of it may avert the evils that threaten us. Madness could only inspire our brethren to persevere in principles which a universal reprobation of the Union should condemn as unsound, and a contest for the support of which they must perceive to be utterly hopeless." For some reason the above was not used. The following is the latter part of General Jackson's proclamation, which was issued and is noted for its great beauty of style and rhetoric, which has induced me to insert it here :

"FELLOW-CITIZENS OF MY NATIVE STATE :—Let me not only admonish you, as the first Magistrate of our common country, not to incur the penalty of its laws, but use the influence that a father would over his children whom he saw rushing to certain ruin. In that paternal language, with that paternal feeling, let me tell you, my countrymen, that you are deluded by men who are either deceived themselves or wish to deceive you. Mark under what pretences you have been led into the brink of insurrection and treason on which you stand. First, a diminution of the value of your staple commodity, lowered by our production in other quarters, and the consequent diminution in the value of your lands were the sole effect of the tariff laws. The effect of those laws was confessedly injurious, but the evil was greatly exaggerated by the unfounded theory you were taught to believe that its burdens were in proportion to your exports, not to your consumption of imported articles. Your pride was roused by the assertion that a submission to those laws was a state of vassalage, and that resistance to them was equal in patriotic merit to the opposition our fathers offered to the oppressive laws of Great Britain. You were told that this opposition might be peaceably, might be constitutionally made, that you might enjoy all the advantages of the Union and

bear none of its burdens. Eloquent appeals to your passions, to your state pride, to your native courage, to your sense of real injury, were used to prepare you for the period when the mask which concealed the hideous features of disunion should be taken off. It fell, and you were made to look with complacency on objects which not long since you would have regarded with horror. Look back to the arts which have brought you to this state ; look forward to the consequences to which it must inevitably lead ; look back to what was first told you as an inducement to enter into this dangerous course.

“The great political truth was repeated to you that you had the revolutionary right of resisting all laws that were palpably unconstitutional and intolerably oppressive ; it was added that the right to nullify a law rested on the same principle, but that it was a peaceable remedy. This character which was given to it made you receive with too much confidence the assertions that were made of the unconstitutionality of the law and its oppressive effects. Mark, my fellow citizens, that by the admission of your leaders the unconstitutionality must be palpable or it will not justify either resistance or nullification. What is the meaning of the word palpable in the sense in which it is here used ? That which is apparent to every one,—that which no man of ordinary intellect will fail to perceive. Is the unconstitutionality of these laws of that description ? Let those among your leaders who once approved and advocated the principles of productive duties answer the question ; and let them choose whether they will be considered as incapable, then, of perceiving that which must have been apparent to every man of common understanding, or as imposing upon your confidence and endeavoring to mislead you now. In either case they are unsafe guides in the perilous path they urge you to tread. Ponder well on this circumstance and you will know how to appreciate the exaggerated language they address to you. They are not champions of liberty emulating the fame of our revolutionary fathers ! Nor are you an oppressed people, contending, as they

repeat to you, against worse than colonial vassalage. You are free members of a flourishing and happy Union. There is no settled design to oppress you. You have indeed felt the unequal operation of laws which may have been unwisely, not unconstitutionally passed, but that inequality must necessarily be removed.

“At the very moment when you were madly urged on to the unfortunate course you have begun, a change in public opinion had commenced. The nearly approaching payment of the public debt, and the consequent necessity of a diminution of duties had already produced a considerable reduction, and that, too, on some articles of general consumption in your State. The importance of this change was underrated, and you were authoritatively told that no further alleviation of your burdens was to be expected, at the very time when the condition of the country imperiously demanded such a modification of the duties as should reduce them to a just and equitable scale. But as if apprehensive of the effect of this change in allaying your discontents, you were precipitated into the fearful state in which you now find yourselves. I have urged you to look back to the means that were used to hurry you on to the position you have now assumed, and forward to the consequences it will produce. Something more is necessary. Contemplate the condition of the country of which you still form an important part. Consider its government uniting in one band of common interest and general protection so many different States; giving to all their inhabitants the proud title of American citizens, protecting their commerce, securing their literature and their arts, facilitating their inter-communication, defending their frontiers, and making their name respected in the remotest parts of the earth. Consider the extent of this territory! its increasing and happy population, its advance in arts, which render life agreeable, and the sciences which elevate the mind. See education spreading the lights of religion, morality and general information into every cottage in this wide extent of our Territories and States. Behold it as the asylum where the wretched and the oppressed find a

refuge and support. Look on this picture of happiness and honor and say :

"We too are citizens of America. Carolina is one of these proud States ; her arms have defended, her blood has cemented this happy Union,\* and then add if you can, without horror and remorse, this happy Union we will dissolve ; this picture of peace and prosperity we will deface ; this free intercourse we will interrupt ; these fertile fields we will deluge with blood ; the protection of that glorious flag we renounce ; the very name of Americans we discard ! And for what, mistaken men, for what do you throw away these inestimable blessings ? For what would you exchange your share in the advantages and honor of the Union ? For the dream of separate independence ; a dream interrupted by bloody conflicts with your neighbors, and a vile dependence on a foreign power. If your leaders could succeed in establishing a separation, what would be your situation ? Are you united at home ? Are you free from the apprehension of civil discord, with all its fearful consequences ? Do our neighboring Republics, every day suffering some new revolution, or contending with some new insurrection, do they excite your envy ? But the dictates of a high duty oblige me solemnly to announce that you cannot succeed. The laws of the United States must be executed. I have no discretionary power on the subject. My duty is emphatically pronounced in the Constitution. Those who told you that you might peaceably prevent their execution deceived you ; they could not have been deceived themselves. They knew that a forcible opposition could alone present the execution of the laws, and they know that such opposition must be repelled. Their object is disunion ; but be not deceived by names. Disunion by armed force is treason. Are you really ready to incur its guilt ? If you are, on the heads of the instigators of the act be the dreadful consequences ; on their heads be the dishonor, but on yours may fall the punishment.

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\*But alas ! she has twice attempted to overthrow it. Once since Jackson's day, 1861 to 1865, and the first to disgrace and fire on the old flag. She will repent, and has already done so.

“On your unhappy State will inevitably fall all the evils of the conflict you force upon the government of your country. It cannot accede to the mad project of disunion, of which you would be the first victims. Its first Magistrate cannot, if he would, avoid the performance of his duty. The consequence must be fearful for you—distressing to your fellow-citizens here, and to the friends of good government throughout the world. Its enemies have beheld our prosperity with a vexation they could not conceal ; it was a standing refutation of their slavish doctrines, and they will point to our discord with the triumph of malignant joy. It is yet in your power to disappoint them ; there is yet time to show that the descendants of the Pinckney’s, the Sumter’s, the Rutledge’s, and of the thousand other names which adorn the pages of your Revolutionary history, will not abandon that Union to support which, so many of them fought, and bled, and died. I adjure you, as you honor their memory, as you love the cause of freedom, to which they dedicated their lives, as you prize the peace of the country, the lives of its best citizens, and your own fair fame, to retrace your steps ; snatch from the archives of your State the disorganizing edict of its Convention ; bid its members to re-assemble and promulgate the decided expressions of your will to remain in the path which alone can conduct you to safety, prosperity, and honor ; tell them that, compared to disunion, all other evils are light, because that brings with it an accumulation of all ; declare that you will never take the field unless the Star Spangled Banner of your country shall float over you ; that you will not be stigmatized when dead, and dishonored and scorned while you live, as the authors of the first attack on the Constitution of your country. Its destroyers you cannot be ; you may disturb its peace ; you may interrupt the course of its prosperity, you may cloud its reputation for stability, but its tranquility will be restored, its prosperity will return, and the stain upon its national character will be transferred, and remain an eternal blot on the memory of those who caused the disorder,



"Fellow-Citizens of the United States, the threat of unhallowed disunion, the names of those once respected by whom it is uttered, the array of military force to support it, denote the approach of a crisis in our affairs, on which the continuance of our unexampled prosperity, our political existence, and perhaps that of all free governments, may depend. The conjuncture demanded a free, a full and explicit enunciation not only of my intentions, but of my principles of action, and as the claim was asserted of a right by a State to annul the laws of the Union, and even to secede from it at pleasure, a frank exposition of my opinions in relation to the origin and form of our government, and the construction I give to the instrument by which it was created, seemed proper. Having the fullest confidence in the justness and constitutional opinion of my duties, which has been expressed, I rely with equal confidence on your undivided support in my determination to execute the laws, to preserve the Union by all constitutional means, to arrest if possible, by moderate but firm measures, the necessity of a recourse to force, and if it be the will of Heaven that the recurrence of its primeval curse on man for the shedding of a brother's blood, should fall upon our land, that it be not called down by any offensive act on the part of the United States. Fellow-citizens, the momentous case is before you. On your undivided support of your government depends the decision of the great question it involves, whether your sacred Union will be preserved, and the blessings it secures to us as a people, shall be perpetuated. No one can doubt that the unanimity with which that decision will be expressed will be such as to inspire new confidence in Republican institutions, and that the prudence, the wisdom, and the courage which it will bring to their defence, will transmit them unimpaired and invigorated to our children. May the Great Ruler of nations grant that the signal blessings with which he has favored ours, may not, by the madness of party or personal ambition, be disregarded and lost; and may his wise Providence bring those who have produced this crisis to see their folly before they feel the misery of civil strife, and inspire a returning veneration for that Union, which, if we

may dare to penetrate his designs, he has chosen as the only means of attaining the high destinies to which we may reasonably aspire."

The following extracts are from a letter written to Mrs. Freeborn Garretson, by her brother, Edward Livingston, when he was Secretary of State :

"NEW YORK, October 16, 1832.

"I was very much grieved that I could not stay and dine with you on Sunday, the more so as it was your birth-day, and that my public duties may render it more doubtful than even the common course of human affairs would do, that we should meet again on a similar occasion. Of our large family but four now remain ; and in a few years these must give place to a new generation, and they in turn to another ; so without the hope of meeting in another and a better world, we should have none of having it remembered that we had ever existed. This has been very wisely so ordered to destroy the hope of posthumous glory ; but it cannot be designed to damp the exertions we should make of being useful to our country and our fellow creatures, while Heaven indulges us with faculty and the means of being so. This may answer, my dear sister, to your enquiry, why I do not return to my farm and give up the cares of public life. It is because I can be useful where I am, and contribute more to the happiness of others than I could in a situation which would certainly be more suitable to my age and more congenial to my feelings."

It was in April, 1833, that his only daughter, Cora, was married to Thomas P. Barton, of Philadelphia. Soon after this marriage the President selected Edward Livingston as Minister to France, and his son-in-law, Mr. Barton, as Secretary of the Legation.

## CHAPTER XXVII.

## MINISTER TO FRANCE, RETIREMENT TO PRIVATE LIFE, AND DEATH.

As Chancellor Livingston was Secretary of State, and Minister to France, thus likewise did his illustrious youngest brother, Edward Livingston, fill both those high offices with honor to himself, and reflected honor on his country. On the 29th day of May, 1833, he resigned the office of Secretary of State, which he had held since May 24th, 1831, and the same day he received the appointment of Envoy Extraordinary and Minister Plenipotentiary to France. On the 14th of August he embarked with his family on board the United States ship Delaware, for France. He was at the time sixty-nine years of age, an old man to leave a comfortable home and enter office in a foreign land.

He reached the port of Cherbourg on September 12th, 1833, after a voyage of twenty-eight days. Everything in Paris was of course new to him. The splendid buildings, the palaces, the galleries of paintings, to a man of his observation and taste, were a source of great delight. He met with a most pleasing reception from King Louis Philippe, and the members of the royal family. His able diplomacy saved our country from a long war with France, and he felt much anxiety to learn if his course had met with the approbation of the President and political friends at

home, when he gladly received on the 8th of March the following letter from Mr. Van Buren :

“Mr. Forsyth met me this morning at the President’s with your last letter to de Rigny—and we went through it very deliberately. I could not express myself too strongly for the opinion I really entertain of its merits. Remember what I say to you, that hereafter when the correspondence is published it will be selected from the mass as giving the clearest, the strongest and the best tempered views of the matters in controversy. The General, as well as Forsyth, was delighted with it.”

In the fall of 1834, Mr. and Mrs. Livingston, his daughter and her husband made a tour of pleasure through Switzerland and Germany. In one of his letters to the Secretary of State, at Washington, he states the cost of living in Paris as being very expensive. “I find that the four articles of house rent, coach hire, servants, and fuel, will take about seven thousand dollars, leaving for all my other expenses in this expensive capital, two thousand dollars. I make this statement, not because I can have any interest in it, for I am not rich enough to remain here until some remedy could be applied to the evil, but for the honor of the country, and to enable it to avail itself of the services of others than men of large fortune.”

Mr. Livingston and family returned home and arrived in New York on the 23d of June, 1835, by the frigate *Constitution*. Crowds of people and his friends met him at the wharf and followed his carriage to his brother’s house in Greenwich Street. At the house he made a short speech, as follows: “Fellow-citizens, I feel much happiness at your cordial welcome of my return, and beg to assure you that during my mission I have studied all that was due to the dignity of my country, its general interest and its welfare.”

He was, on concluding, greeted with cheers, and the next day received a public reception in the Governor’s Room, City Hall,

and had a public dinner given to him, which he attended. The following toast in his praise was given by the Mayor, Mr. Lawrence: "Edward Livingston, as a patriot and statesman, belongs to America; as a jurist and philosopher, to the world. His exposition of the 25th of April embodies the sentiments of his countrymen, and stands as a text book for American diplomatists."

Mr. Livingston rose and responded as follows: "I had arranged some phrases which I thought might suit the occasion, but they are driven from my mind by the impulse which the scene around me most naturally produces. I find them tame, flat, powerless to express the feelings by which I am excited—agitated—almost overpowered. Gentlemen, I did not expect this; I returned without having attained final success in my mission. I returned with the satisfactory but humble consciousness of having done my duty; and I anticipated no other pleasure on my return than the greetings of personal friends, and that exquisite sensation which one who loves his country feels, when after a long absence, his foot presses his native shore. Such of you, gentlemen, as have been abroad, will understand this, but all of you must join me in lamenting that the poverty of our language has no other word than the vague one of country to express the relation between it and its citizens. We have no derivative from the *Patria* of the Romans, and have not adopted the *Faderland* of our Saxon ancestors. Nothing can be more appropriate to express the feeling, nothing more resembles filial duty and affection, than the obligation we owe to our native land, or the attachment which binds us by voluntary ties to the country of our adoption. But if we have not the word in our language, we have the sentiment in our hearts. Properly cultivated, it will teach us not only to support our country on occasions like the present, when it can appeal to all nations for the uniform moderation and justice of its course, but with the pious sons of the Patriarch, to veil even the occasional excesses of our common parent from the eyes of the world,—not like their degenerate, unnatural brother, to exaggerate and expose them to derision—to



conceal, not to discover the nakedness of the land, to glory in its honor, to lament its misfortunes, to espouse its cause as our own, and identify ourselves with it in its prosperous or adverse fortune. This is patriotism ; this is true love of country ; and as it is common to all who hear me, I may be permitted to say that it guided me in my conduct, cheered me during the difficulties of my mission, and that I looked to the consciousness of its having animated me, for my best reward. I repeat, gentlemen, that I did not expect the reception that I have met with. But I should be guilty of an absurd affectation if I attempted to conceal the heartfelt pleasure it has given me. I thank you for myself, I thank you more for my country ; for I have not the vanity to believe that any merit of mine could excite the enthusiastic demonstrations that have been made ; and my feelings of personal gratification were lost in the higher enjoyment of national pride, when amid the shouts that greeted my arrival, the first words I could distinguish were those which reprobated any unworthy concession. Never within my recollection, in the course of a large political life, has public sentiment, on any question, been so strongly expressed ; expressed as it should be—calmly, but with energy ; without bluster, without violence, in the language of high minded men, who appreciate their own character and the dignity of their country. In a settled determination to suffer no degrading interference with our Legislative councils, all party feelings seem forgotten, and the assurance I gave to the French government on my departure that every attempt of this nature would be repelled by the undivided energies of the nation, seems nobly confirmed.”

He was afterwards entertained by another public dinner at Philadelphia. Mr. Livingston, now feeling that he had arrived at an age when rest was important to preserve health, retired from public life to his beautiful country seat of Montgomery Place, on the Hudson. Here he occupied his time and amused himself with planting trees, reading, correspondence with his numerous friends, also by shooting, fishing, visiting the members of his family who

resided in the vicinity, his brother, John R. Livingston, his sister, Mrs. Garretson, and others.

In the month of August he wrote to his son-in-law in France, who then was Charge d' Affaires of the United States, "I wish you were with us, dear Barton, in this delightful retirement, which does not lose its charms for me by the comparison I make between its natural beauties and the highly improved grounds of England. I feel the same interest that I formerly felt in walking through the rough walks in the woods, and in planning new ones, but I want you to help me."

But these scenes of joy and happiness for him were short; his days were numbered, for on Saturday, May 21st, 1836, he was suddenly taken very ill with an attack of bilious colic, from which he did not recover, but died on Monday, May 23d, 1836, in the seventy-second year of his age. Mrs. Garretson, his sister, was then eighty-five years of age, and was his constant attendant. He was buried beside his mother, in the family vault at Clermont.

Montgomery Place is still owned and occupied by his daughter, Mrs. Barton. I have paid many a pleasant visit there and remember well the charming manners of Mrs. Edward Livingston, who died in the year 1860, surviving her husband nearly a quarter of a century. Hunt, in his *Life of Edward Livingston*, relates the following anecdote, in a note: "Mrs. Livingston passed her widowhood of nearly a quarter of a century in complete retirement. She died, as she for many years had lived, a member of the Methodist church. No circumstance was wanting to perfect the contrast between the beginning and the close of her days. The memory of her husband, his character, his actions, and his fame, continued paramount in her thoughts and conversation to the last. The following was one of her latest reminiscences of him given to a friend with temporary animation at a time when she was almost too feeble to converse. 'On one of our returning journeys from New Orleans,' she said, 'we were traveling through the interior of Pennsylvania by stage coach. As we were about to depart from

one of the stations, my husband and myself occupying the back seat, and all the other places but one being filled, a plain man holding by the hand a very pretty young girl, presented himself by the side of the vehicle, and carefully scanned the faces of all the passengers. After doing so, he turned to my husband and said, 'I was looking for some one to whom I might confide the charge of my daughter, who is obliged to travel without a protector for some distance. I think I must select you. You judge rightly, my friend, said I, you judge rightly ; he has been the protector of innocence all his life.' " What prettier compliment from a loving wife could be more deservedly given ?

## CHAPTER XXVIII.

BIRTH AND MARRIAGE OF JANET, ELDEST DAUGHTER OF JUDGE  
ROBERT R. LIVINGSTON.

Janet, the eldest child of Judge Robert R. Livingston and Margaret Beekman, was born at Livingston Manor, Columbia County, on the 27th day of August, 1743. She received a fine education at Clermont, and was married on the 24th day of July, 1773, to Richard Montgomery, who was then 37 years of age, and Janet Livingston 30 years of age.

Richard Montgomery was a native of Ireland and was born in 1736, at his father's estate, Convoy House, in the North part of Ireland, near the town of Raphoe. Educated as a gentleman's son at the best college in Dublin, he, at the age of eighteen, received a commission in the English army. His military career commenced in the same field of service in America, where, in another war, it was destined to end. He joined in 1758 the British expedition against Louisburg, and in the attack and capture of that place he showed such bravery that he was promoted to a lieutenancy in the British army. General Abercrombie having been defeated before Ticonderoga, General Amherst was sent to his relief, and young Montgomery, then but 22 years of age, was one of the officers in his corps. He thus became well acquainted with all

the localities in the neighborhood of Lake Champlain, and also of Canada, which knowledge became of great use to him in later years.

Headley, in his *Washington and his Generals*, thus describes Montgomery, when in the British service: "One summer evening, when a primeval forest covered almost the entire surface of this now glorious Union, a young British officer, in rich uniform, stood on the shore of Lake Champlain and looked off on that beautiful sheet of water. He was only twenty-two years of age, and but for his manly, almost perfect form, he would have seemed even younger. His skin was fair, and his countenance beautiful as a Grecian warrior's. As he stood and gazed on the forest girdled Lake, studded with islands, his dark eye kindled with the poetry of the scene, and he little thought of the destiny before him. In the full strength and pride of ripened manhood, he was yet to lead over those very waters a band of freemen against the country under whose banner he now fought, and fall foremost in freedom's battle. That handsome young officer was Richard Montgomery, a lieutenant in the British army."

The British army was successful in the reduction of Montreal and Quebec, but Montgomery's leading General, (Wolfe,) was killed in storming Quebec in 1759. Montgomery also accompanied the expedition against the French and Spanish West Indies, where he obtained command of a company. The Versailles Treaty of 1763 ended that war, and he went to England where he remained about nine years. He sold his commission in the English army and emigrated to America in the year 1772. He probably in his last visit imbibed an attachment for this country.

After his arrival here he went on a visit to Judge Livingston's place. Whilst there he paid his addresses to the Judge's eldest daughter, Miss Janet Livingston. It seems they had met some years previously, when Montgomery was a captain in the British army, and was then on his way to a distant Western post. That



meeting was love at first sight, and made and left a deep and lasting impression on both of them, which was probably the very good reason of his disposing of his commission in England and emigrating to New York. The marriage soon followed this second meeting of the lovers, for it took place the 24th of July, 1773. After the wedding he purchased a large estate of over four hundred acres, between Barrytown and Rhinebeck, on the Hudson River, known afterwards as Montgomery Place, and occupied by his widow, her brother, Edward Livingston, and now by Mrs. Barton.

Montgomery devoted his whole time to Agriculture, but never moved upon his new estate, for the three short years of domestic happiness that his dear Janet and himself were only destined to enjoy, were spent in a plain frame house about a mile north of Rhinebeck village on the Post road, which house was taken down and removed about five years ago and rebuilt in the village of Rhinebeck. His widow afterwards erected the fine mansion on the river estate.

They, of course, during those three short years of unalloyed happiness, had bright visions of long years of continued prosperity in store for them, in the anticipated removal at no distant day to their fine estate. But the projected house was never completed for this happy pair to occupy together, for war, that monster of darkness, tore them asunder to meet no more.

After their marriage, the controversy between the colonies and the mother country grew warmer and warmer. Montgomery's feelings and his judgment were both on the side of his adopted country. In 1775 he was elected a member of the first Provincial Convention of New York, from Dutchess county. He was not a very active delegate in the Convention, still his views were so well known that when Congress appointed a Commander-in-Chief and other officers, he was made one of the eight Brigadier Generals. His views are well expressed in the following letter which he wrote to a friend soon after receiving his appointment:

“Congress having done me the honor of electing me Brigadier-

General in their service, is an event which must put an end for awhile, perhaps forever, to the quiet scheme of life I had prescribed for myself; for though entirely unexpected and undesired by me, the will of an oppressed people, compelled to choose between liberty and slavery, must be obeyed."

Irving, in his *Life of Washington*, writes thus of Montgomery: "At the time of receiving his commission Montgomery was about thirty-nine years of age, and the beau ideal of a soldier. His form was well proportioned and vigorous; his countenance expressive and prepossessing; he was cool and discriminating in counsel, energetic and fearless in action. His principles commanded the respect of his friends and foes, and he was noted for winning the affections of the soldiery."

It was in the autumn of 1775 that he was appointed second in command under General Schuyler in the expedition against Canada. But the illness of General Schuyler, about the time the expedition was to start, caused the chief command to devolve upon General Montgomery. A day or two before he left for Canada to join Schuyler, he went with his wife to pay a parting visit to the occupants of the place near Rhinebeck, afterwards occupied by his brother-in-law, Mr. Peter R. Livingston. As he was walking on the lawn in the rear of the mansion he playfully stuck a willow twig in the ground, at the same time making the remark, "let that grow to remember me by." It did grow and is now a willow tree with a trunk at least ten feet in circumference, and called "Montgomery's Willow."

In accepting the command for the Northern expedition he met with no opposition from his wife, for she was all for her country, and would rather say to him as the Spartan mother remarked to her son, when she gave him a shield, "either return with it or upon it," than remain useless at home. Mrs. Montgomery may be classed among the heroic and great women of the Revolution. She accompanied him on his way North as far as Saratoga, where he received the parting kiss and the last word from his loving

wife, who bid him strike for the right and for freedom. It was here she heard him utter those ever memorable words, "you shall never have cause to blush for your Montgomery."

Edward Livingston, at this time but a boy, ever remembered this sad parting scene, and in his old age thus describes the affecting departure from his sister Janet, of "her soldier" as she always afterwards called General Montgomery. It made such a permanent impression upon his young mind that even the cares and duties of his after eventful political life could not shut out or obliterate this sad scene. "It was just before General Montgomery left for Canada, we were all three in her room—he, my sister, and myself. He was sitting in a musing attitude between his wife, who, sad and silent, seemed to be reading the future, and myself, whose childish admiration was divided between the glittering uniform and the martial bearing of him who wore it; when all of a sudden the silence was broken by Montgomery's deep voice repeating the following lines, as one who speaks in a dream:

"'Tis a mad world, my masters,

I once thought so, now I know it."

The tone, the words, the circumstances, all overawed me, and I noiselessly retired. I have since reflected upon the bearing of this quotation, forcing itself as it were upon the young soldier at that moment. Perhaps he might have been contrasting the quiet and sweets of the life he held in his grasp with the tumults and perils of the camp, which he had resolved to seek without a glance at what he was leaving behind. These were the last words I heard from his lips, and I never saw him more."

"Montgomery," writes Lossing, "was one of the bravest and noblest of the men of his age, when he gave his young wife a parting kiss at the house of General Schuyler, at Saratoga, and hastened to join that officer at Tieonderoga in the campaign that proved fatal to him. Gallantly did he vindicate that pledge, and when his virtues were extolled by Barre, Burke, and others in the British Parliament, Lord North exclaimed, 'Curse on his virtues, he has undone his country.'"

## CHAPTER XXIX.

## GENERAL MONTGOMERY'S EXPEDITION TO CANADA.

General Washington received letters from General Schuyler which apprehended danger from the interior. The Indians had been stirred to hostility in the western part of the State of New York, and were preparing to join the British forces in Canada. As the Americans were fighting along the seaboard, this movement menaced a combination in the rear. Great rivalry had arisen between Ethan Allen and Benedict Arnold since their exploits at Ticonderoga and the frontiers of Canada. Both Arnold and Allen claimed the command of Ticonderoga—Allen on the authority of the Connecticut Assembly, and Arnold from the Massachusetts Committee of Safety. “Colonel Allen,” said Arnold, “is a proper man to head his own wild people, but entirely unacquainted with military service, and as I am the only person that has been legally authorized to take possession of this place I am determined to insist on my right, and shall keep it (the fort,) at every hazard until I have further orders.”

The Provincial Congress of New York invited Governor Trumbull, of Connecticut, to send a force to the captured posts, and he sent a notice that one thousand men, under Colonel Hinman, were on the march to Crown Point and Ticonderoga. Congress favored

an idea of dismounting the cannon and removing them ; and also the military stores to the South end of Lake George, and to establish a strong post there, but both Arnold and Allen were opposed to such a measure, seeing the great importance of those forts. They both wished to lead an expedition into Canada.

Allen writes to the New York Congress, "The key is ours ; if the Colonies would suddenly push an army of two or three thousand men into Canada, they might make an easy conquest of all that would oppose them in the extensive province of Quebec, except a reinforcement from England should prevent it. Such a diversion would weaken Gage and insure us Canada. I wish to God, America would at this critical juncture exert herself agreeably to the indignity offered her by a tyrannical ministry. She might rise on eagle's wings and mount up to glory, freedom and immortal honor, if she did but know and exert her strength. Fame is now hovering over her head. A vast continent must now sink to slavery, poverty, horror and bondage, or rise to unconquerable freedom, immense wealth, inexpressible felicity and immortal fame. I will lay my life on it, that with fifteen hundred men and a proper train of artillery I will take Montreal, provided I could be thus furnished, and if an army could command the field it would be no insuperable difficulty to take Quebec."

Arnold also wrote to Congress, and wrote in a letter dated from Crown Point, as follows : "That Carleton had not six hundred effective men under him ; the Canadians and Indians were disaffected to the British government, and Montreal was ready to throw open its gates to a patriot force, two thousand men would be sufficient, and I beg leave to state that if no person appears who will undertake to carry the plan into execution, I will undertake, and with the smiles of Heaven answer for the success, provided I am supplied with men, &c., to carry it into execution without loss of time. In order to give satisfaction to the different Colonies I propose that Colonel Hinman's regiment, now on their march from Connecticut to Ticonderoga, should form part of the army, say



one thousand men, five hundred men to be sent from New York, five hundred of General Arnold's regiment, including the seamen and marines on board the vessels, (no Green Mountain boys)."

Colonel Hinman, with his Connecticut Regiment, arrived at the Point a few days after Arnold had sent the above letter. Arnold was in command of the fort at Crown Point, and also the fleet, and had about one thousand and fifty men under his command, and expected hourly to receive a communication from Congress to lead an expedition into Canada. He refused to give up his post to General Hinman, and at once difficulties arose between them. At this juncture three members of the Congress of Massachusetts arrived as a body to enquire into the manner in which he had executed his commission. Arnold was furious. He swore he would be second to no one in command, disbanded his men, and threw up his commission. His men became turbulent, and a part refused to serve under any other leader; a part joined Arnold on board of the vessels, and some of them enlisted under Col. Easton.

Arnold set off for Cambridge to settle and talk the matter over with the Committee of Safety. Congress at this time did not favor an invasion of Canada, but subsequent intelligence changed its plans, as they received the news that General Carleton was strengthening both fortifications and garrison at St. Johns, and building vessels on the shore of the Lake that were nearly ready to launch, for the purpose of regaining the command of the Lake, and retaking the captured forts and posts. England was also sending reinforcements. Guy Johnson had been stirring up the Indians of the Six Nations, Cayugas, and Senecas, and many in Canada favored the Americans.

Thus influenced by so many considerations Congress at last determined to fight the British in their stronghold, or the lion in his den. Congress ordered General Schuyler, who was in New York when he received the order on June 27th, to proceed to Ticonderoga, and should he find it practicable, and not disagreeable to the Canadians, immediately to take possession of St. Johns and

Montreal, and pursue such other measures in Canada as might have a tendency to promote the peace and security of those provinces.

Ethan Allen and Seth Warner were at Bennington, among the Green Mountains, enlisting men, but too slowly to suit Allen, who thus wrote to Governor Trumbull on July 12th: "Were it not that the great Continental Congress had totally incorporated the Green Mountain boys into a battalion under certain regulations and command, I would forthwith advance them into Canada and invest Montreal, exclusive of any help from the Colonies, though under present circumstances I would not for my right arm act without or contrary to orders. If my fond zeal for reducing the King's fortresses and destroying or imprisoning his troops in Canada be the result of enthusiasm, I hope and expect the wisdom of the continent will treat it as such; and on the other hand, if it proceed from sound policy, that the plan will be adopted."

General Schnyler arrived at Ticonderoga on the 18th of July, 1775. After his arrival he wrote to General Washington, as follows: "You will expect that I should say something about this place, and the troops here. Not one earthly thing for offence or defence has been done. The commanding officer has no orders, he only came to reinforce the garrison, and he expected the General about ten o'clock last night. I arrived at the landing place, at the North end of Lake George, a post occupied by a Captain and one hundred men; a sentinel on being informed that I was in the boat, quitted his post to go and awaken the guard, consisting of three men, in which he had no success. I walked up and came to another, a sergeant's guard. Here the sentinel challenged, but suffered me to come up to him; the whole guard, like the first, in the soundest sleep. With a penknife only I could have cut off both guards, and then have set fire to the block house, destroyed the stores and starved the people here. At this post I had pointedly recommended vigilance and care, as all the stores from Lake George must necessarily be landed here; but I hope to

get the better of this inattention. The officers and men are all good looking people, and decent in their deportment, and I really believe will make good soldiers as soon as I can get the better of this nonchalance of theirs. Bravery I believe they are far from wanting."

Colonel Hinman had in his command at Fort Ticonderoga about twelve hundred men, Green Mountain boys, New York and Connecticut troops. General Schuyler upon taking command here, sent his agent, Major John Brown, an American, who resided on the Sorel River, and who was popular among the Canadians, to collect all the information he possibly could of the British forces and fortifications in Canada, and to ascertain how St. Johns could be most successfully invaded, he preparing boats and making other arrangements in case Congress should decide upon invasion. From Major Brown General Schuyler soon received the information that there were about seven hundred King's troops only in Canada. Three hundred at St. Johns, about fifty at Quebec, and the remainder at Montreal, Chamblee, and the upper posts.

Colonel Guy Johnston had at Montreal three hundred men and a large number of Indians. St. Johns was defended by two batteries of nine guns each, and well intrenched all around. Now was the time, according to the information he received, to take the post, as many of the Canadians and Indians were disaffected to British rule and said to stand ready to join the Americans. After obtaining the above information General Schuyler penned this letter to General Washington: "I am prepared to move against the enemy, unless your Excellency and Congress should direct otherwise. In the course of a few days I expect to receive the ultimate determination. Whatever it may be I shall try to execute it in such a manner as will promote the just cause in which we are engaged."

He repaired to Albany to hold a conference to endeavor to negotiate a treaty with the Indians of the Six Nations commissioned to meet him there, General Montgomery commanding at

Ticonderoga during his absence, and continuing the military preparations. Several Indian Chiefs also met General Washington at Cambridge, and they offered to fight for the Americans should Canada be invaded. Washington, thinking that the contemplated movement of General Schuyler would make the British concentrate all their forces in the vicinity of Montreal and St. Johns, therefore proposed sending an expedition of twelve hundred men to Quebec by the way of the Kennebec River.

He thus wrote General Schuyler: "If you are resolved to proceed, which I gather from your last letter is your intention, it would make a diversion that would distract Carleton. He must either break up and follow this party to Quebec, by which he would leave you a free passage, or he must suffer that important place to fall into other hands; an event that would have a decisive effect and influence on the public interest. The few whom I have consulted on the project approve it much, but the final determination is deferred until I hear from you. Not a moment's time is to be lost in the preparations for this enterprise, if the advices from you favor it. With the utmost expedition the season will be considerably advanced, so that you will dismiss the express as soon as possible."

General Schuyler approved of the project, sent word to General Montgomery to have everything in readiness, and then wrote to Washington from Albany: "I should not hesitate one moment to employ any savages that might be willing to join us, and should the detachment from your body penetrate into Canada and we meet with success, Canada must inevitably fall into our hands." After dispatching these expresses he returned to Ticonderoga, but before he reached there, General Montgomery learned that Carleton had completed his vessels at St. Johns and was about to send them into Lake Champlain by Sorel river. No time was to be lost if he wished to obtain possession of the Isle aux Noix, which commanded the entrance to the river. General Montgomery with great dispatch embarked with about one thousand men, which



number filled the boats he had provided, and also took with him two pieces of artillery ; with this force he started down the lake. Previous to leaving he wrote a letter to General Schuyler, informing him of what he was about to do, expressing his regret at being obliged to move or act on the spur of the moment without orders, and asking to be excused on the ground that if the enemy got his vessels into the lakes it would be too late to accomplish the desired purpose. He entreated him to follow in a boat, leaving the residue of the artillery to come on as soon as a means of conveyance could be procured.

General Schuyler arrived at Ticonderoga on the night of August 30th, 1775, but was suddenly taken very ill of a bilious fever, and was too sick to follow, as Montgomery had requested, but as soon as he felt better had a bed prepared in a covered bateau, and sick as he was made a start on the following day and joined Montgomery at Isle aux Noix, twelve miles south of St. Johns, on the 4th day of September.

Leaving General Montgomery encamped as above for a brief period, we will call your attention to the other expedition which was to start and enter Canada by way of Kennebec River. A force of well drilled men were chosen and encamped at Cambridge, ready for the expedition. There were ten companies of New England infantry, some of General Greene's Rhode Island regiments, three from Pennsylvania and Virginia, and a number of volunteers ; among them was Aaron Burr, then but twenty years of age, who had got up out of a sick bed as soon as he had received the news that Colonel Arnold was to lead the expedition through the forests of Maine to the attack of Quebec.

Burr's friends tried their best to prevent him, but go he would, and in a few days proceeded to the rendezvous, accompanied by four or five stout young fellows whom he had fitted out at his own expense, they all shouldering arms and walking the whole distance to within a few miles of Boston. Burr's uncle wrote him a letter commanding him to return, and his physician wrote, "You will



die, it is impossible for you to endure the fatigue," but he refused to return, and his health improved by the healthful exercise and camp life.

This expedition required a leader of great daring, and such a leader it had in Arnold. He was well acquainted with all parts of Canada, having before the war sold and traded horses at Quebec, which he brought from the West Indies. Washington, after appointing him to the command, wrote to him as follows: "Upon your conduct and courage and that of the officers and soldiers detailed on this expedition, not only the success of this present enterprise and your own honor, but the safety and welfare of the whole continent, may depend. I charge you therefore, and the officers and soldiers under your command, as you value your own safety and honor and the favor and esteem of your country, that you consider yourselves as marching, not through the country of an enemy, but of our friends and brethren, for such the inhabitants of Canada and the Indian nations have approved themselves in this unhappy contest between Great Britain and America, and that you check by every motive of duty and fear of punishment every attempt to plunder and insult the inhabitants of Canada. Should any American soldier be so base and infamous as to injure any Canadian or Indian in his person or property, I do most earnestly enjoin you to bring him to such severe and exemplary punishment as the enormity of the crime may require. Should it extend to death itself it will not be disproportionate to its guilt, at such a time and in such a cause. I also give in charge to you, to avoid all disrespect to the religion of the country and its ceremonies. While we are contending for our own liberty, we should be very cautious not to violate the rights of conscience in others, ever considering that God alone is the judge of the hearts of men and to him only in this case are they answerable."

In the general letter of instructions Washington inserted this clause: "If Lord Chatham's son should be in Canada, and in any way fall into your power, you are enjoined to treat him with all

possible deference and respect. You cannot err in paying too much honor to the son of so illustrious a character and so true a friend to America."

Arnold was well supplied with hand-bills to distribute in Canada, setting forth the friendly objects of the expedition, and calling on Canadians to furnish necessaries and accommodations of all kinds, for which they were to be amply repaid. It was on the 13th of September, 1775, that Arnold and his forces set out for the North; he had obtained the command he so much wanted, and had headed off his rival, Ethan Allen. He was to push forward up Kennebec river and try to reach Quebec by the middle of October.

General Montgomery, it is remembered, had sent Major Brown to reconnoitre the country between the Sorel river and the St. Lawrence. He had also sent Colonel Ethan Allen on an expedition of a similar character. The forces proceeded up Sorel river in boats to within two miles of St. Johns, where they opened their cannon upon the fort; they here landed and marched to about a mile and a half of the fort, where they formed their lines in a deep thick wilderness or swamp; here they encountered roving bands of Tories and Indians, whom they defeated with but slight loss to either side. The shells from the fort kept constantly bursting in their camp throughout the night, but doing very little damage.

A messenger arrived during the night with secret information to Schuyler and Montgomery of the condition of the fort. The works were said to be strong and well furnished with cannon, and a vessel with sixteen guns mounted was nearly ready to sail. The matter was well discussed over in camp, and the Generals concluding they had not the necessary cannon, nor sufficient men to undertake a siege, therefore returned to the Isle aux Noix, threw up earth-works and placed a boom across the river to prevent any vessel of the enemy from entering the lake, and determined here to await the arrival of artillery and reinforcements, which had been ordered to follow them with dispatch from Ticonderoga.

## CHAPTER XXX.

## GENERAL MONTGOMERY'S EXPEDITION TO CANADA, CONTINUED.

Great preparations were made by the Americans to attack St. Johns by land and water. Major Brown, the scout, was sent with a small force of one hundred Americans and thirty Canadians, to advance towards Chamblee, make friends, drum up more men, and then join the main body of the army in the proposed attack on St. Johns. Ethan Allen had been sent in another direction to gain recruits from the country he had recently visited, as described in a former chapter. He took thirty men with him and proceeded to La Prairie.

At this time General Schuyler was again taken ill, with a complication of maladies. He was very sick one night, and for many days after the attack was confined to his bed, and thus was compelled to surrender all thoughts of leading the army to St. Johns. He gave up the command into the able hands of General Montgomery. After surrendering the command General Schuyler returned to Ticonderoga on a bed in a bateau, to hurry forward the reinforcements and supplies for Montgomery. About five miles from camp he met Colonel Seth Warner with one hundred and seventy Green Mountains boys hastening forward in boats on the river to join Montgomery.

Ethan Allen in the meantime was not idle. A week after he left the camp at Isle aux Noix he was at St. Ours, twelve miles south of the Sorel river, with a force of two hundred and fifty Canadians under arms. He wrote to General Montgomery that within three day's time he would be at St. Johns with a force of five hundred Canadians. On his way to join Montgomery he marched up the East side of the St. Lawrence river to Longueval; between the last named place and La Prairie he met the noted Major Brown, with his advance of Americans and Canadians, who informed him that Montreal was weak and not half defended, and said he, "Let us join forces and make an attack upon the city." Allen was ready for anything that required activity and daring, and as he had confidence in Major Brown's courage and judgment, he agreed to the proposition. So without orders from General Montgomery, Allen returned to Longueval, procured canoes with which to cross the St. Lawrence below the city with his force, while Major Brown was to cross above the town with two hundred men, and each was to make the attack on the two sides at the same moment.

A rough, windy, stormy night was that of September 24th, 1775, when Colonel Ethan Allen crossed the river with his force of but one hundred and ten men, eighty Canadians and thirty Americans. The canoes were so small and frail that they had to make three trips to take the whole number over the foaming white mass. It was early in the morning of the following day that Allen listened for the signal gun of Major Brown, but he heard it not, and it became too evident that he had not succeeded in crossing the river. Allen would have recrossed the river if he could have embarked his forces and all crossed at one time, but as this was impossible, he established pickets on all the roads to stop all persons from carrying any information to Montreal.

But he was discovered at last, and from out of the old city gates issued a force of about forty British, two hundred Canadians, and some Indians. Allen fought bravely, notwithstanding that he was

so much outnumbered, and the battle continued for over an hour and three quarters. His men having at last all deserted but twenty-eight, one of whom was wounded, Allen agreed to surrender if promised honorable terms. They were marched to Montreal, the officers treating them civilly, and were delivered into the custody of General Prescott, from whom they met with the most brutal treatment, and upon his discovering that Allen was the man that had captured Ticonderoga, first threatened to hang him, then had him bound hand and foot with irons, and sent him on board the war schooner *Gaspee*. A bar of iron eight feet long was attached to his chains, and his men were handcuffed in pairs, and he and they thrust into the lowest part of the vessel without beds or seats.

The cause of the failure to cross the river by Major Brown has never been explained. If he had done so the attack would doubtless have been successful. Both Allen and Brown were blamed, and not unjustly, as they were acting without orders.

We cannot refrain from giving Allen's own account of his reception by the British officer. Allen was clothed in the rough frontier style, a deer skin jacket, a vest and breeches of coarse serge, worsted stockings, stout shoes, and a red woolen cap. "He asked my name," said Allen, "which I told him; he then asked me whether I was that Colonel Allen who took Ticonderoga; I told him I was the very man; then he shook his cane over my head, calling me many hard names, among which he frequently used the word Rebel, and put himself in a great rage."

From Allen's place of confinement on board the ship he wrote as follows to General Prescott:

"HONORABLE SIR:—In the whirl of transitory events I find myself prisoner and in irons. Probably your honor has certain reasons, to me inconceivable, though I challenge an instance of this sort of economy of the Americans during the late war, to any officers of the Crown. On my part I have to assure your honor that



when I had the command and took Captain Delaplace and Lieutenant Fulton, with the garrison of Ticonderoga, I treated them with every mark of friendship and generosity, the evidence of which is notorious, even in Canada. I have only to add that I expect an honorable and humane treatment, as an officer of my rank and merit should have, and subscribe myself your honor's most obedient servant,

"ETIHAN ALLEN."

General Schuyler wrote thus of Allen's reckless dash at Montreal: "I am apprehensive of disagreeable consequences arising from Colonel Allen's imprudence. I always dreaded his impatience of subordination, and it was not until after a solemn promise made me in the presence of several officers, that he would demean himself with propriety, that I would permit him to attend the army, nor would I have consented then, had not his solicitations been backed by several officers."

Washington also censured him severely, he wrote; "His misfortune will, I hope, teach a lesson of prudence and subordination to others who may be ambitious to outshine their general officers, and regardless of order and duty rush into enterprises which have unfavorable effects on the public and are destructive to themselves."

General Washington felt great solicitude about Arnold, as he received a letter from him, dated ten days previously, from Fort Western, on the Kennebec river. He had sent parties ahead to explore the country and he was making his way by land and water through an uninhabited and unexplored wilderness, and beyond reach of recall. Soon after this he received a letter from Arnold, dated October 13th, 1775, from a place between Kennebec and Dead rivers, where he wrote thus: "Your Excellency may possibly think we have been tardy in our march, as we have gained so little, but when you consider the badness of the route, and the weight of the bateaux, and the large quantities of provisions, &c., we have been obliged to force up against a very rapid stream where you would have taken the men for amphibious animals, as they were a great part of the time under water; add to this the

great fatigue in the portage, you will think I have pushed the men as fast as they could possibly bear. The last division has just arrived, three divisions are over the first carrying place, and as the men are in high spirits, I make no doubt of reaching the river Chaudiere in eight or ten days, the greatest difficulty I hope being already past."

The toils up Kennebec river and through the wilderness were great. A part of the men marched along the banks, a part managed the boats; wherever there were rapids they had to unload and carry stores, boats, &c., sometimes for miles; they had to labor against swift currents and often in cataracts; the boats were upset, and arms, ammunition and provisions damaged. The land force had to scramble over rocks and precipices, cut their way through tangled thickets, wade through mucky swamps, and could make at best but eight or ten miles per day. At night both divisions encamped together.

But we must return to General Montgomery's army. On October 13th, 1775, Majors Livingston and Brown attacked and captured Chamblee, a fort within five miles of St. Johns. They had with them fifty Americans and three hundred Canadians. A large quantity of gunpowder and military stores fell into General Montgomery's hands. He now advanced his lines and pressed the siege of St. Johns with vigor, and cut off all supplies from reaching the garrison, who were suffering from want of provisions. But their commander, Major Preston, still held out, hoping hourly to receive relief from General Carleton, who had been gathering troops and promised assistance from Montreal. General Carleton had several hundred Canadians, some Indians, and a Scotch regiment under Colonel Maclean, a Scot, three hundred strong, called "The Royal Highland Emigrants."

General Montgomery, learning of the cruelty with which Allen and his men were treated at Montreal, addressed a letter to Carleton on the subject: "Your character, Sir, induces me to hope I am ill informed, nevertheless, the duty I owe the troops commit-

ted to my charge, lays me under the necessity of acquainting your Excellency that if you allow this conduct, and persist in it, I shall, though with the most painful regret, execute with vigor the just and necessary law of retaliation upon the garrison of Chamblee, now in my possession, and upon all others who may hereafter fall into my hands. I shall expect your Excellency's answer within six days. Should the bearer not return in that time, I must interpret your silence into a declaration of a barbarous war. I cannot pass this opportunity without lamenting the melancholy and fatal necessity which obliges the firmest friends of the constitution to oppose one of the most respectable officers of the crown."

General Montgomery, who had become accustomed to the implicit obedience of European troops, was greatly displeased with the continued want of subordination and discipline among these yeomen soldiers. He writes: "They carry the spirit of freedom into the field, and think for themselves. Were I not afraid the example would be too generally followed, and that the public service might suffer, I would not stay an hour at the head of troops whose operations I cannot direct. I must say I have no hopes of success unless from the garrison's wanting provisions."

He commenced the bombardment of the fort on both sides. He took four prisoners, whose tidings made him order the firing to cease, as they reported that General Carleton had embarked his forces on the 31st of September, in thirty-four boats, crossed the St. Lawrence, landed at Longueval, and marched for St. Johns. This report was true, but as Carleton's forces in the boats neared the bank of the river at Longueval, a terrible fire of musketry and artillery opened upon them from the woods on the bank of the river, and threw them into great confusion. It was Colonel Seth Warner's force of New York troops and Green Mountain boys, who thus unexpectedly appeared.

Carleton was defeated, without being able to give battle. Many of his boats were destroyed, some upset, and with what was left of his force, he retreated as fast as possible to Montreal. General

Montgomery, well knowing that the garrison in the fort at St. Johns had only held out in expectation of the arrival of Carleton's force, sent a flag of truce, asking Major Preston to surrender. Preston agreed to do so in four days, if no relief appeared in that given time. These conditions General Montgomery refused. Major Preston then determined to surrender, which he accordingly did. The garrison numbered one hundred Canadians, and five hundred British regulars.

General Montgomery treated Major Preston and his men with courtesy, and having sent all the prisoners under a guard up Lake Champlain to Ticonderoga, prepared to march immediately on Montreal, and wrote to General Schuyler to forward as soon as possible all the men he could spare. He also wrote: "Not a word from Arnold yet. I have sent two expresses to him lately, one by an Indian who promised to return with the expedition. The instant I have any news of him I will acquaint you by express."

General Montgomery arrived at Montreal on the 12th of November, and as General Carleton could not obtain reinforcements, and hearing that Arnold was expected at Point Levi, he embarked his men and retreated down the St. Lawrence river to oppose Arnold. He proceeded in a whale boat with muffled oars through Montgomery's rafts and boats on a dark night, and reached Quebec in safety. On the 13th of November Montreal surrendered to Gen. Montgomery. He left a small garrison there, and then hastened onward towards Quebec.

When the news of his successes reached Congress he was promoted to the rank of Major-General. Montgomery's great object was the capture of Carleton, but he had escaped, as stated. He now descended the St. Lawrence towards Quebec; but four hundred troops was all the force he could muster; after having garrisoned the three places he had captured, and sending a guard back with his prisoners. Some pleaded ill health, with others their term of enlistment had expired and they had returned home. General Montgomery was wearied with constant vexations, and



only his gratitude to Congress, and the welfare of his adopted country could have induced him to continue in the service.

He thus writes to General Schuyler: "Will not your health permit you to reside in Montreal this winter? I must go home if I walk by the side of the Lake. I am weary of power, and totally want that patience and temper so requisite for such a command. An affair happened yesterday, November 24th, which had very near sent me home. A number of officers presumed to remonstrate against the indulgence I had given some of the King's troops. Such an insult I could not bear, and immediately resigned. To-day they qualified it by such an apology as put it in my power to resume the command. I wish some method could be fallen upon for engaging gentlemen to serve. A point of honor, and more knowledge of the world, to be found in that class of men, would greatly reform discipline, and render the troops much more tractable."

General Montgomery now received letters from Arnold that he was approaching Quebec. It was now the latter part of November, and winter in that Northern latitude had set in. After abandoning the boats, through driving snow storms, and over badly drifted and most impassable roads, they proceeded onward. Thus they marched until the walls of Quebec arose before them. Here he found Arnold, and these two brave men combined their small forces and laid plans for the reduction of that stronghold.

General Montgomery being the Chief in Command, and finding his forces were not sufficient to make regular approaches, commenced to bombard the town. He tried five small mortars first, but finding them ineffectual, he planted a battery of six cannon and a howitzer about forty rods from the walls and continued the constant firing upon the place. The snow being very deep, and the ground hard frozen, he was obliged to place his guns on blocks of ice. His cannon were not heavy enough to make impression on the solid walls of Quebec. His troops were suffering terribly from frost and exposure, the camp was surrounded by huge drifts



of snow, the small-pox also broke out among the men, and those attacked with it were ordered to wear sprigs of hemlock in their caps, to warn the other men to keep away from them ; these sprigs increased very rapidly. We will now leave General Montgomery, half buried in snow with his army before Quebec, and trace Arnold's expedition through the wilderness, as he is so closely connected with Montgomery in the attack on Quebec that a full account of the trials of both forces is desirable.

## CHAPTER XXXI.

## ARNOLD'S ADVANCE TO QUEBEC TO JOIN MONTGOMERY.

On September 20th, Arnold, with a force of eleven hundred men, embarked at Newburyport, in eleven transports, and after sailing to the mouth of Kennebec river, Maine, found there two hundred light bateaux, suitable for shallow water and not too heavy to carry when compelled to do so. In a few days they had passed the last signs of civilization, and found themselves working their way through a wilderness which the foot of none but the Indian had trod. For thirty-two days no trace of human beings was seen. Forty times or more the boats had to be carried, with all the ammunition, provisions, and the sick, around rapids, falls, over hills, and through heavy marshes.

Lossing, in his *American Revolution*, thus writes of Arnold's march: "This expedition of Arnold, in its conception and execution, is one of the most remarkable on record, and whatever blemishes afterwards appeared on his character, one thing cannot be denied, that he was a man of great sagacity and boldness of character, and as brave an officer as ever commanded an army. At his own request he was dispatched to Quebec with about eleven hundred men. The route was then a dreary desert, intersected by dense forests and swamps. Starting from Cambridge, the headquarters

of the army blockading Boston, he marched one hundred and thirty miles northward of that city, and embarked with his men in bateaux upon the rough and tortuous Kennebec."

He was totally ignorant of the stream he was ascending, for it had never been surveyed. The river was full of craggy rocks, shoals, falls, rapids, and other dangers, too numerous to mention. But, fearless leader that he was, he pressed on. One of the Colonels in his command, (Enos,) got entangled in the windings of the Dead river, a branch of the Kennebec, and being out of provisions, returned home, with nearly one-third of the whole of Arnold's force. The river being impassable for boats, Arnold abandoned them, and for thirty-two days traversed a dreary wilderness. The troops suffered dreadfully, but without murmuring.

It was on November 3d, that he reached the first Canadian settlement on Chaudiere river, which flows into the St. Lawrence nearly opposite Quebec. It was the 9th of November when his forces reached Point Levi, opposite Quebec. Arnold's officers were Lieutenant-Colonel Christopher Greene, (the hero of Red Bank on the Delaware,) Majors Meigs and Bigelow; the riflemen were commanded by that great partisan leader, Captain Daniel Morgan. Arnold's soldiers were almost famished; some had not tasted food for forty-eight hours. When they arrived on the banks of the Chaudiere, they had cooked dogs, and others had boiled their moccasins, cartouch boxes, and other articles of leather, in the hopes of rendering them eatable.

A letter written by an inhabitant of Point Levi describes the strange appearance there of Arnold's army: "There are about five hundred Provincials arrived at Point Levi, opposite to the town, by the way of Chaudiere, across the woods. Surely a miracle must have been wrought in their favor. It is an undertaking above the common race of men, in this debauched age. They have traveled through woods and bogs, and over precipices, for the space of one hundred and twenty miles, attended with every incon-

venience and difficulty, to be surmounted only by men of indefatigable zeal and industry."

Hildreth, in his History of the United States, writes of the wilderness traversed by Arnold as follows: "Colonel Montessor, a British officer, had traversed the wilderness fifteen years before. He ascended the Chaudiere from Quebec, crossed the highlands near the head waters of the Penobscot, passed through Moosehead lake, and entered the eastern branch of the Kennebec. Arnold possessed an imperfect copy of the printed journal of Montessor, and this with information received from some St. Francis Indians who visited Washington's camp, gave him an idea of the country and the privations his men must suffer. The same region was traversed by a French Missionary named Dreuillettes, more than two hundred years before. He crossed the St. Lawrence to the sources of the Kennebec, down which river he descended to its mouth, and thence coasted eastward to the Missionary station on the Penobscot."

Judge Henry, who at the close of the last century was President of the Second Judicial District in Pennsylvania, was one of Arnold's soldiers in this expedition, and wrote as follows in his narrative of it, in reference to the destitute condition of the troops before food was sent back from Sertigan: "Coming to a low, sandy beach of the Chaudiere, for we sometimes had such, some of our companies were observed to dart from the file, and with their nails tear out of the sands roots which they esteemed eatable, and ate them raw, even without washing. The knowing one sprang, half a dozen followed, he who obtained it eat the root instantly. They had not received food for the last forty-eight hours."

General Dearborn wrote to Rev. William Allen at the time: "My dog was very large and a great favorite. I gave him up to several men of Captain Goodrich's company. They carried him to their company, and killed and divided him among those who were suffering most severely from hunger. They eat every part of him, not excepting his entrails."

It was about fifty days after leaving Newburyport, when Arnold, with but half the force he started with, saw the heights of Quebec. He had led that army through a wilderness of six hundred miles. As he approached Quebec it became of great importance to him that he should send word to General Montgomery, as his numbers were so reduced that it was utterly impossible for him to move against Quebec without General Montgomery's co-operation.

The difficult task of conveying a verbal message one hundred and twenty miles through an enemy's country, *and alone*, was given to young Aaron Burr. Well did he perform the mission. Burr, who had much tact and a pleasant address, well knew that the French in Canada, especially the Catholic Clergy, abhorred the aggressive rule of the British. He therefore assumed the bearing and dress of a young priest, and presented himself at the first house of a priest that came in his way. Being a good Latin scholar, and also understanding French, he pronounced Latin in the French manner. He made quite a favorable impression on the aged priest, when, after throwing aside his garb, he frankly told him who he was, and asked his aid for the further prosecution of his journey.

The priest was surprised that such a mere boy should have the courage to undertake so dangerous a journey in an enemy's country alone, and whose fate, if captured, would be that of a spy. But finding that he was composed of sterner stuff than most mortals, and old in courage if not in years, gave him all the information he could, and also a trusty guide, and an old wagon and horse. From one priest's house to another he was conveyed by the guide in perfect safety, and his journey appeared one of pleasure, rather than one of danger; and only once was his progress onward at all interrupted.

This was at Three Rivers, where the people, hearing rumors of Arnold's arrival, were greatly excited, and the authorities watchful to prevent communication if possible between Arnold and Montgomery. The guide, fearing capture, would not proceed



further, and at last prevailed upon Burr to conceal himself in a convent in the vicinity. Here they remained concealed for three days, until the excitement had somewhat subsided. After that length of time had elapsed, the guide consenting to proceed, they left the convent and reached Montreal without further detention. Burr immediately repaired to Montgomery's headquarters, gave the information which was the object of his journey, and narrated Arnold's tramp through the wilderness, and his own through Canada. General Montgomery was so much pleased with Burr's appearance and his courage that he requested him, on the spot, to accept a place on his staff, and a few days after he was formally announced as one of the General's Aid-de Camps, with rank of Captain.

General Washington was greatly pleased when he received the news of the capture of Montreal. He thus wrote to General Schuyler, alluding to Arnold: "The merit of this gentleman is certainly great, and I heartily wish that fortune may distinguish him as one of her favorites. I am convinced that he will do everything that prudence and valor shall suggest to add to the success of our arms, and for reducing Quebec to our possession. Should he not be able to accomplish so desirable a work with the forces he has, I flatter myself that it will be effected when General Montgomery joins him, and our conquest of Canada will be complete."

It was about eight o'clock in the morning when Arnold and his army emerged from the wilderness and stood upon the banks of the St. Lawrence. Quebec was at once thrown into a great state of alarm; drums beat to arms. Arnold determined to cross the river immediately, but for several days and nights such a tempest of wind and rain set in that he was obliged to wait. He obtained about forty birch bark canoes, and about 9 P. M. on the evening of November 13th, 1775, he commenced to cross, and before daylight the next morning the whole force had crossed the St. Lawrence river and formed lines at Wolfe's Cave. The garrison at

Quebec was daily gaining strength and there was not much time to lose. Recruits had arrived at Quebec from Nova Scotia. McLean, and his corps of Royal Highland Emigrants, who had been defeated at the mouth of the river Sorel by Colonel Livingston's and Major Brown's forces of Montgomery's army, had also joined the forces in Quebec. The *Lizard*, frigate, *Hornet*, sloop-of-war, and two armed schooners, were stationed in the river, and guard boats patrolled at night.

The prospect was any but an inviting one. Arnold only managed to cross by careful watching, and favored by the darkness of the night. On the 13th Arnold received the news that Montgomery had captured St. Johns. He and his men were greatly cheered by these tidings.

Wolfe's Cave is situated about a mile and a half above Cape Diamond. It was at that point that General Wolfe landed before making his attack on Quebec, sixteen years previously to Arnold's arrival. Arnold, at early dawn, led the attack in person, and just after daylight planted his flag on the far famed heights of Abraham. But here a new difficulty appeared before him; a long line of wall and bastions traversed the heights from one of its rocky sides to the other. On the right was the great bastion of Cape Diamond, crowning the height of that name. Upon the left was the bastion of La Potasse, near the gate of St. Johns, the spot where Montcalm was killed in defending Quebec. Arnold held a council of war. He was for immediately advancing and storming the gate of St. Johns. Had he done so he probably would have been successful, as the gate was then unguarded. But while they deliberated the favorable moment passed away, and Arnold's forces looked with dismay upon those massive walls.

They had no artillery, and half their arms were rendered useless from their march through the swamps of the wilderness, and they numbered but seven hundred and fifty men. Arnold expected help from within Quebec from friendly Canadians. He drew up his men within eight hundred yards of the walls and gave three

cheers, thinking the troops would rush out to attack him, and the gates being open he might rush in, and with the aid of friends within capture the place. The parapets of the walls were lined by hundreds of people, and many of them cheered in return.

The British troops fired a thirty-two pounder at Arnold's men, but not a man was injured. They were afraid to trust the French within the city and would not be led out by Arnold's bait. Arnold sent a flag of truce to McLean with a formal summons to surrender, but it was treated with insult, the bearer being fired upon. Arnold, upon inspecting his ammunition and stores, to his surprise found that nearly all the cartridges were spoiled, hardly five rounds to a man being left, and learning from his friends within the city that an attack was to be made upon him soon, and also receiving the news of the capture of Montreal by Montgomery and that Carleton having escaped from that place was on his way to Quebec, he determined at any rate for the present to draw off his army to Point aux Trembles, (aspen tree point,) twenty miles above Quebec, and there to await the arrival of General Montgomery with troops and artillery.

This withdrawal took place on the 19th inst. While awaiting Montgomery's arrival he received the following letter from General Washington: "It is not in the power of any man to command success, but you have done more, you have deserved it, and before this time (December 5th,) I hope you will have met with the laurels which are due to your toils in the possession of Quebec. I have no doubt but a junction of your detachment with the army under General Montgomery is effected before this. If so, you will put yourself under his command, and will, I am persuaded, give him all the assistance in your power to finish the glorious work you have begun."

On the 31st of December, 1775, Washington received the cheering intelligence from Canada that a junction had taken place, a month previously, between Arnold and Montgomery at Point aux

Trembles. They were about two thousand strong, and were making every preparation for attacking Quebec. Carleton was said to have with him at Quebec but twelve hundred men, the majority of whom were sailors. It was thought that the French would surrender if they could obtain the same terms that were granted to the garrison and inhabitants of Montreal.\* Upon Arnold's arrival at Point aux Trembles he was informed that Carleton had only left Montreal but a few hours previously and soon afterwards he heard the cannonading at Quebec, that welcomed him to that city.

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\*Letter of Washington to the President of Congress, December 31st, 1775.

## CHAPTER XXXII.

## GENERAL MONTGOMERY'S EXPEDITION TO CANADA, CONTINUED.

After the junction of the two armies General Montgomery established his headquarters at Holland House, and Arnold occupied a house near Scott's Bridge. The army was encamped near the Intendant's Palace, by the St. Charles, in the suburb of St. Roche. On December 5th, Montgomery thus wrote to General Schuyler: "I propose amusing Mr. Carleton with a formal attack, erecting batteries, &c., but mean to assault the works, I believe towards the lower town, which is the weakest part. There is a style of discipline among Arnold's men, much superior to what I have been used to see in this campaign. He himself (Arnold,) is active, intelligent and enterprising. Fortune often baffles the sanguine expectations of poor mortals. I am not intoxicated with her favors, but I do think there is a fair prospect of success."

Upon the day of General Montgomery's arrival at Quebec he sent a flag with a summons to surrender. It was fired upon and obliged to retire. General Montgomery thereupon wrote an indignant, reproachful letter to Carleton, on this outrage. By Carleton's orders the messenger was put in prison a few days and then drummed out of the town. General Montgomery now made



every preparation for an attack upon Quebec. The ground was frozen very hard, and he was not well provided with intrenching tools, and had only one field train of artillery and a few mortars. But with great labor he managed to throw up a breastwork about four hundred yards from the walls, and opposite the centre of the enemy's works, called the gate of St. Louis. A part of his works were formed of ice, or snow thrown up and water thrown over until thoroughly frozen.

The following letter, written at that time by General Montgomery to his brother-in-law, Chancellor Livingston, then a member of Congress, is interesting: "For the good fortune which has hitherto attended us, I am, I hope, sufficiently thankful, but this very fortune, good as it has been, will become a serious and insurmountable evil, should it lead Congress either to overrate our means, or to underrate the difficulties we have yet to contend with. I need not tell you, until Quebec is taken Canada is unconquered, and that, to accomplish this, we must resort to siege, investment or storm. The first of these is out of the question, from the difficulty of making trenches in a Canadian winter, and the greater difficulty of living in them, if we could make them. Secondly, from the nature of the soil, which, as I am at present instructed, renders mining impracticable, and were this otherwise, from the want of an engineer having sufficient skill to direct the process. And thirdly, from the fewness and lightness of our artillery, which is quite unfit to break walls like those of Quebec.

"Investment has fewer objections and might be sufficient were we able to shut out entirely from the garrison and town the necessary supplies of food and fuel during the winter; but to do this well, the enemy's works being very extensive, and offering many avenues to the neighboring settlements, will require a large army, and from present appearances mine will not, when brought together, much, if at all, exceed eight hundred combatants. Of Canadians I might be able to get a considerable number, provided I had hard money with which to clothe, feed, and pay their wages,

but this is wanting ; unless, therefore, I am soon and amply reinforced, investment, like siege, must be given up. To the storming plan there are fewer objections, and to this we must come at last. If my force is small, Carleton's is not great ; the extensiveness of his works, which, in case of investment, would favor him, will in the other case favor us. Masters of our secret, we may select a particular time and place for attack, and to repel this the garrison must be prepared at all times and places, a circumstance which will impose upon it incessant watching and labor by day and by night, which, in its undisciplined state, must breed discontents that may compel Carleton to capitulate, or perhaps to make an attempt to drive us off. In this last idea there is a glimmering of hope. Wolfe's success was a lucky hit, or rather a series of lucky hits. All sober and scientific calculation was against him until Montcalm, permitting his courage to get the better of his discretion, gave up the advantages of his fortress and came out to try his strength on the plain. Carleton, who was Wolfe's Quartermaster General, understands this well, and it is to be feared will not follow the Frenchman's example.

"In all these views you will discover much uncertainty, but of one thing you may be sure, that unless we do something before the middle of April the game will be up, because by that time the river may open and let in supplies and reinforcements to the garrison in spite of anything we can do to prevent it ; and again because my troops are not engaged beyond that time, and will not be prevailed upon to stay a day longer. In reviewing what I have said you will find that my list of wants is a long one ; men, money, artillery, and clothing, accommodated to climate. Of ammunition, Carleton took care to leave little behind him. What I wish and expect is that all this be made known to Congress with a full assurance that if I fail to execute their wishes or commands it shall not be from any negligence of duty or infirmity of purpose on my part. *Vale cave ne mandata frangas.*"

General Montgomery ordered Captain Lamb to mount five light

field pieces and a howitzer on the breastworks described. Several mortars were placed on the left of the promontory, below the heights, on a level with the river. From this ice battery Captain Lamb fired upon the stone walls, but the guns were not heavy enough to damage them, but with his mortars he set the town on fire in several places by shells. He continued this firing night and day for the space of five days. The object of General Montgomery was to endeavor to create dissatisfaction among the inhabitants. All his flags of truce being fired upon, he got some Indians to fire arrows into the town with letters attached to them, urging them to rise in a body and resist Carleton. But it was all in vain, for the military preserved order in the town. On the fifth day Montgomery paid a visit to the ice battery. The cannon balls from Quebec had shivered the ice ramparts—one cannon was disabled, the flying balls sending huge pieces of ice into the air. "This is warm work, Captain Lamb," said Montgomery. "It is indeed," replied Lamb,\* "and no place for you, sir." "Why so, Captain?" "Because there are enough of us here to be killed, without the loss of you, which would be irreparable."

Montgomery, seeing the utter uselessness of this battery, ordered Lamb to cease firing, and leave it where he thought proper. Montgomery was attended in this visit by his Aide-de-Camp, Aaron Burr, whose perfect coolness made Lamb exclaim: "This young volunteer is no ordinary man."

Three weeks had now passed away, and as the enlistment of many of the troops would soon expire, General Montgomery determined without further loss of time to attempt to carry Quebec by escalade. One third of the force was to set fire to the stockades and houses of the lower town, while the main body should scale the bastion or walls of Cape Diamond. It was a hazardous and daring project. He caused ladders to be made and exercised his men in using them. Captain Burr at his own request was assigned the command of a forlorn hope of forty men, whom he com-

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\*Life of John Lamb,

menced to drill, until they got so perfect they could mount the ladders, although burdened with equipments, with great agility.

The attack as agreed upon was to take place at night and in a heavy snow storm. By the 20th of December the preparations were all completed, and nightly did the sentinels watch the sky for the expected storm which was to be the signal of the attack. The weather was intensely cold, and the small-pox still very bad in the camp; the army numbering but seven hundred and fifty men fit for active service. The plan of attack was to be as follows: Colonel Livingston was to make a false attack on the gate of St. Johns, and set fire to it; Major Brown with a small force was to menace the bastion of Cape Diamond; Arnold with three hundred and fifty men of his wilderness army, and Captain Lamb with forty of his men were to assault the batteries of St. Roque; while Gen. Montgomery with the balance of the army were to pass below Cape Diamond, march along the river, carry the defences at Drummond's wharf, and enter the lower town on one side, while Arnold entered it on the other side. These movements at all four points were to take place at the same time.

The last night but one of the year 1775, December 30th, had arrived; a fine moon was shining over the snow and over the sleeping army of Montgomery. It was Montgomery's last night on earth; his brave soul went out before the old year had expired. But clouds soon began to cover the moon, and at midnight a fierce blinding North-easterly snow storm set in. General Montgomery awoke, he saw the hour had come, and the troops were soon ordered under arms. Many of them awoke from their last sleep on earth, and the morrow found them in the sleep that knows no waking. Burr was at his commander's side carrying commands at intervals from the General.

It was two o'clock of the morning of December 31st, 1775, that the lines were formed and inspected, and as before stated, divided into four parties of attack. At the head of the column through the blinding storm marched the tall form of General Montgomery,



not heeding the remonstrances of Burr and other officers to spare himself. At 4 A. M. the divisions had reached the designated posts; at 5 A. M. the signal of attack was given, and the army pressed on through the storm and ascended the heights.

Colonel Livingston and Major Brown proceeded to make the feigned attacks against the upper town. The morning was dark and gloomy and the driving snow beat against the soldiers, but they marched on knee deep through the drifts. Captain Burr marched by the side of Montgomery, as they hurried along the bank of the St. Lawrence, to the defences under Cape Diamond. Arnold was at the same time advancing on the opposite side.

General Montgomery passed a picket and block house, which was quickly deserted on his approach. He led his men in the dark towards the narrowest point under Cape Diamond, called *Pres de Ville*, where had been placed by the enemy a battery of three pounders. This post was in charge of a Captain of Canadian Militia, with thirty-two men and nine British seamen. On the river side was the precipice, and on the left rough crags of slate towering far above him.

By some mistake Colonel Livingston failed to make the false attack on St. Johns gate, which was to have caused a division favorable to Arnold's attack on the suburb below. The feint of Major Brown met with better success, as he attacked the bastion of Cape Diamond and concealed the march of General Montgomery.

The pass which Montgomery entered, and which was defended as above stated, was very formidable, a river on one side, the crags on the other, and filled with drifted ice and snow. Among the foremost of the troops were some of the New York regiment of Captain Cheeseman. General Montgomery in his eagerness to press forward was in advance of his men and cried out: "Forward, men of New York, you will not flinch when your General leads you on." The Canadians stationed there, taken so suddenly by



surprise, threw down their arms and fled. Montgomery sprang forward, and with his own hands sawed down several posts of the stockade, making a breach sufficiently wide to admit three men abreast. He entered sword in hand, followed by his staff, Captain Cheeseman, Burr, and many of his men. The battery before them was silent; the Canadians in their panic had scattered those in the rear also. Montgomery paused but for a moment to rally on the troops through the pass, when he called out: "Push on, my brave boys, Quebec is ours," and again pressed forward, but within forty paces of the battery a discharge of grape shot from a single cannon made fearful havoc.

Some accounts state that the gunners had returned to the battery, while others state that a sailor who had fled from his post, had returned to discover why the Americans had not advanced, and applied a match to the cannon. General Montgomery, McPherson, and Cheeseman, were killed on the spot. Montgomery fell forward in the snow—to rise no more. Every man in the front column was killed, except Captain Burr, and he was within six feet of the General when he fell.

The rest of the column halted and wavered, and thus many minutes were lost; the enemy returned to the block house and fired on the assailants, and the American retreat became a disorderly flight. But Montgomery's faithful Aid-de-Camp, Burr, could not bear to leave the lifeless remains of his beloved General behind in his snowy shroud. Down the steep, over the snow and ice, his comrades were fleeing in panic. Burr fled not, at first, then lifting the heavy body of the General upon his shoulders ran with it down the gorge up to his knees in snow, the enemy following in his rear, but he reeled on with his heavy burden until the enemy approached so near that he was obliged to drop the General's body and run to save himself from capture.

While this occurred on the Cape Diamond side, Arnold was leading his men against the opposite side of the lower town along the suburb and street of St. Roque; like Montgomery, he and twenty-

five men took the advance. Captain Lamb and his battery of artillery came next, but owing to the great depth of the snow they could proceed but with one gun, which they had mounted on a sledge, then followed a company with ladders, and after them Morgan and his riflemen, and the main body in the rear.

There was a battery on the wharf that commanded the narrow pass, up which they had to advance. This was to be attacked with their field piece and then scaled with the ladders, but the field piece became embedded in the snow drifts and was rendered useless. Arnold then led the advance against a place called Sault au Matelot, followed by Captain Morgan. They were in a narrow pass swept by a battery; up this pass Arnold marched, cheering on his men, when a musket ball struck his leg and shattered the bone; he fell in the snow, arose again to press forward, and with difficulty could be persuaded to be carried to the rear.

Morgan then led the attack, and he was as daring as Arnold. He hurried onward and planted ladders against the breastworks, and mounting them fired upon the gunners within. The enemy fled leaving the battery in Morgan's possession; they took the Captain and thirty of his men prisoners. Morgan here made a short halt for the main body of his column to come up; daylight was now beginning to dawn, and nothing had been heard from Montgomery. Morgan ran back and called out, through the storm, to his men to press forward. The second barrier was reached, they again applied the ladders; the defense was brave and obstinate, but the defenders were driven from their guns and the battery gained. A grape shot carried away part of the cheek bone of Captain Lamb and he was borne away senseless.

The two barriers being taken, the way to the lower town seemed open, but by this time the death of General Montgomery, and the retreat of his force, had enabled the enemy to turn all attention in the direction of Morgan's force. General Carleton now sent a force out of the Palace gate, after Morgan had passed it, and captured Dearborn and the guard, and cut off the advanced party's

retreat. The main body hearing of Montgomery's death, gave all up as lost and retreated back to the camp, leaving the field pieces and mortars behind them.

Morgan and his men were now surrounded on all sides and obliged to take refuge in a stone house to be out of the enemy's heavy fire. They defended themselves out of the windows of the house until a cannon was brought to bear upon it, then hearing of Montgomery's death and expecting no aid from any quarter, they were compelled to surrender themselves prisoners of war. The American army retreated to within three miles of the town. Carleton contented himself with having secured the safety of Quebec, and did not come out to attack them. He treated the prisoners well, considering the "habitual severity of his temper."

The remains of the gallant Montgomery received a soldier's grave within the fortifications of Quebec, by the care of Cramhe, the Lieutenant-Governor, who had formerly known him. Well would it have been for Arnold, had he at that time shared the same grave with Montgomery, rather than live and stain his then bright name.

General Schuyler, after these sad events, wrote General Washington as follows: "I wish I had no occasion to send, my dear General, this melancholy account. My amiable friend, the gallant Montgomery, is no more; the brave Arnold is wounded, and we have met with a severe check in an unsuccessful attempt upon Quebec. May Heaven be graciously pleased that the misfortune may terminate here; I tremble for our people in Canada."

The loss of the Americans at Cape Diamond and at Sault au Matelot, in killed and wounded, was about one hundred and sixty. The British loss was only twenty killed and wounded. The force that surrendered consisted of one Lieutenant-Colonel, two Majors, eight Captains, fifteen Lieutenants, one Adjutant, one Quartermaster, three hundred and fifty rank and file, and forty-four officers and soldiers who were wounded, making a total loss of four hundred

and twenty-six men. The prisoners were treated well. The officers were imprisoned in the Seminary, the oldest college in Quebec. Major Meigs was sent out for the baggage and clothing of prisoners, and all testified to the humanity of Carleton.

As soon as the fighting had terminated, a search was made for the bodies of the slain. Thirteen were found buried in the snow, among them Montgomery's orderly sergeant terribly wounded but still alive. The sergeant could not bear to hear that his General was killed, and remained silent until he died, an hour after he was discovered.

Montgomery was buried within a wall that surrounded a powder magazine near the ramparts, bounding on St. Louis Street, where it remained for forty-two years. General Montgomery had a watch in his pocket which Mrs. Montgomery was very desirous of obtaining. She made her wishes known to Arnold, who sent word to Carleton that any sum would be paid for it. Carleton immediately sent the watch to Arnold and refused anything in return. High upon the rocks at Cape Diamond, Alfred Hawkins, Esq., of Quebec, has placed a board with this inscription: "Here Major-General Montgomery fell, December 31st, 1775."

## CHAPTER XXXIII.

## JUDGE HENRY'S EYE-WITNESS ACCOUNT AFTER THE DEATH OF GENERAL MONTGOMERY.

Judge Henry was one of the prisoners taken by the British at Quebec. His opportunities of information appear to have been excellent; he was allowed to go out with several other prisoners to view the place where General Montgomery was slain; he also gives in his narrative of the campaign an account of the death of Montgomery different from many we have read. It is addressed to his children, and the extract here given commences after his account of his own capture, which happened on the 31st of December, 1775, when Montgomery fell. The reasons above stated have induced me to give it here, as all narratives are considered to be more reliable when given by soldiers or eye-witnesses, rather than by romantic history manufacturers.

“General Montgomery had marched at the precise time stipulated, and had arrived at his destined place of attack nearly about the time we attacked the first barrier. He was not one that would loiter. Colonel Campbell of the New York troops, a large, good-looking man, who was second in command of that party, and was deemed a veteran, accompanied the army to the assault; his station was rearward. General Montgomery, with his aids, was at



the point of the column. It is impossible to give you a clear, fair and complete idea of the nature and situation of the place solely with the pen; the pencil is required. As by the special permission of government, obtained by the good offices of Captain Prentis, in the manner following, Boyd, a few others and myself reviewed the causes of our disaster; it is therefore in my power, so far as my abilities will permit, to give you a tolerable notion of the spot.

“Cape Diamond nearly resembles the great jutting rock which is in the narrows at Hunter’s falls on the Susquehanna. The rock at the latter place shoots out as steeply as that at Quebec, but by no means forms so great an angle on the margin of the river, but is more craggy. There is a stronger and more obvious difference in the comparison when you surmount the hills at St. Charles, on the St. Lawrence side, which, to the eye, are equally high and steep; you are on Abraham’s plains and see an extensive champaign country. The birds-eye view around Quebec bears a striking conformity to the sites of Northumberland and Pittsburg, in Pennsylvania; but the former is on a more gigantic scale, and each of the latter wants the steepness and cragginess of the back ground and depth of river. This detail is to instruct you in the geographical situation of Quebec; and for the sole purpose of explaining the manner of General Montgomery’s death, and the reasons of our failure. From Wolfe’s Cave there is a good beach down to and around Cape Diamond. The bulwarks of the city come to the edge of the hill above that place, thence down the side of the precipice, slantingly to the brink of the river. There was a stockade of strong posts, fifteen or twenty feet high, knit together by a stout railing at bottom and top with pins. This was no mean defence, and was at the distance of one hundred yards from the point of rock. Within this palisade, and at a few yards from the very point itself, there was a like palisade, though it did not run so high up the hill.

“Again, within Cape Diamond, and probably at a distance of fifty yards, there stood a block house, which seemed to take up

the space between the foot of the hill and the precipitous bank of the river, leaving a cartway or passage on each side of it. When heights and distances are spoken of, you must recollect that the description of Cape Diamond and vicinity is merely that of the eye, made as it were running under the inspection of an officer. The review of the ground our army had acted upon, was accorded us as a particular favor. Even to have stepped the spaces, in a formal manner, would have been dishonorable, if not a species of treason. A block house, if well constructed, is an admirable method of defence, which in the process of the war to our cost was fully experienced. In the instance now before us, (though the house was not built upon the most approved principles,) it was a formidable object. It was a square of perhaps forty or fifty feet. The large logs neatly squared were tightly bound together by dovetail work. If not mistaken, the lower story contained loop holes for musketry, so narrow that those within could not be harmed from without; the upper story had four or more port holes for cannon of large calibre. These guns were charged with grape or canister shot, and were pointed with exactness towards the avenue at Cape Diamond. The hero, Montgomery, came. The drowsy or drunken guard did not hear the sawing of the posts of the first palisade. Here, if not very erroneous, four posts were sawed and thrown aside, so as to admit four men abreast. The column entered with a manly fortitude. Montgomery, accompanied by his aids, McPherson and Cheeseman, advanced in front. Arriving at the second palisade, the General with his own hands sawed down two of the pickets in such a manner as to admit two men abreast. These sawed pickets were close under the hill and but a few yards from the very point of the rock, out of the view and fire of the enemy from the block house. Until our troops advanced to the point no harm could ensue but by stones thrown from above.

“Even now there had been but an imperfect discovery of the advancing of an enemy, and that only by the intoxicated guard. The guard fled; the General advanced a few paces; a drunken

soldier returned to his gun, swearing he would not forsake it while undischarged. This fact is related from the testimony of the guard on the morning of our capture, some of these sailors being our guard. Applying the match, this single discharge deprived us of our excellent commander. Examining the spot, the officer who escorted us, professing to be one of those who first came to the place after the death of Montgomery, showed the position in which the General's body was found. It lay two paces from the brink of the river on the back, the arms extended. Cheeseman lay on the left, and McPherson on the right, in a triangular position; two other brave men lay near them. The ground above described was visited by an inquisitive eye, so that you may rely with some implicitness on the truth of the picture. As all danger from without had vanished, the government had not only permitted the mutilated palisades to remain without renewing the enclosure, but the very sticks sawed by the hand of our commander still lay strewed upon the spot.

“Colonel Campbell, appalled by the death of our General, retreated a little way from Cape Diamond, out of reach of the cannon of the block house, and called a council of officers, who, it was said, justified his receding from the attack. By rushing on, as military duty required, and a brave man would have done so, the block house might have been occupied by a small number, and was unassailable from without but by cannon. From the block house to the center of the lower town, where we were, there was no obstacle to impede a force so powerful as that under Colonel Campbell. Cowardice, or a want of good will towards our cause, left us to our miserable fate. A junction, though we might not conquer the fortress, would enable us to make an honorable retreat, though with the loss of many valuable lives. Campbell was forever afterward considered a poltroon for retreating and leaving the bodies of the Generals McPherson and Cheeseman to be devoured by dogs. The disgust caused among us as to Campbell was so great as to create the unchristian wish that he might be hanged. In that desultory period, though he was tried, he was

acquitted; that was also the case of Colonel Enos, who deserted us on the Kennebec. There never were two men more worthy of punishment of the most exemplary kind."

"On the 3d or 4th of January, being as it were domesticated in the sergeant's mess, in the regulars, a file of men headed by an officer called to conduct me to the Seminary. Adhering to the advice of Colonel McDougal, the invitation was declined, though the hero, Morgan, had solicited this grace from Governor Carleton and had sent me a kind and pressing message. My reasons, which were explained to Morgan, in addition to the one already given, operated forcibly upon my mind; having lost all my clothes in the wilderness, except those on my back, and those acquired by the provident and gratuitous spirit of General Montgomery, and having remained at our quarters and become a prey to the women and invalids of the army, nothing remained fitting me to appear anywhere in company. Additionally, it had become a resolution, when leaving Lancaster, as my absence would go near to break the hearts of my parents, never to break upon my worthy father's purse. Dire necessity compelled me to rescind this resolution in part in the wilderness, but that circumstance made me the more determined to adhere to the resolve afterwards. Again my intimate friends were not in the Seminary. Steele was in the hospital, and Simpson, by previous command, on the charming Isle of Orleans, which from its fruitfulness, had become as it were our storehouse. Add to all these reasons, it could not be said of the gentlemen in the Seminary, 'they are all my intimates,' except as to Captain Morgan and Lieutenant F. Nichols.

"It was on this day that my heart was ready to burst with grief at viewing the funeral of our beloved General. Carleton had in our former wars with the French been the friend and fellow soldier of Montgomery. Though political opinion, perhaps ambition, or interest, had thrown these worthies on different sides of the great question, yet the former could not but honor the remains of his quondam friend. About noon the procession passed our

quarters. It was most solemn. The coffin, covered with a pall, surmounted by transverse swords, was borne by men. The regular troops, particularly that fine body of men, the Seventh Regiment, with reversed arms and scarfs on the left elbow, accompanied the corpse to the grave. The funerals of the other officers, both friends and enemies, were performed this day. From many of us it drew tears of affection for the deceased, and speaking for myself, tears of greeting and thankfulness toward General Carleton. The soldiers and inhabitants appeared affected by the loss of this invaluable man, though he was their enemy. McPherson, Cheeseman, Hendricks and Humphreys, were all dignified by the manner of burial."

General Montgomery was alike beloved by his men, and honored by his foes. His personal appearance was fine ; tall, well-formed and commanding, full of enthusiasm and daring, he was a perfect specimen of a Military Chieftain. He was but thirty-nine years of age when he fell at Quebec. Had he and Arnold not been shot so early in the fight, the fate of the day would certainly have been changed.



## CHAPTER XXXIV.

## MONTGOMERY PLACE.

Janet Livingston Montgomery was overwhelmed with grief at the loss of her husband, but she bore this great affliction with that resignation to a Divine power which only the Christian can feel. She now resolved to devote her time to the improvement of the estate purchased by the General near Barrytown, N. Y., before he left on his northern campaign. Here she erected a fine mansion, and spent over half a century of widowhood, childless but cheerful. Some of her winters she spent in the city of New York. She had ample pecuniary means and good taste at command, the two needfuls in the successful improvement of a country estate. She named this fine estate of four hundred acres after her husband, "Montgomery Place." I will give a part of Downing's description of this delightful rural home. It is well told and describes the place very accurately :

"There are few persons among what may be called the traveling class who know the beauty of the finest American country seat, Montgomery Place, second as it is to no seat in America for its combination of attractions. It is one of the superb old seats belonging to the Livingston family. Whether the charm lies in the deep and mysterious wood, full of the echo of water spirits, that

forms the northern boundary, or whether it grows out of a profound feeling of completeness and perfection in foregrounds of old trees, and distances of calm serene mountains, we have not been able to divine; but certain it is that there is a spell in the very air, which is fatal to the energies of a great speculation. It is not, we are sure, the spot for a man to plan campaigns of conquest, and we doubt even whether the scholar, whose ambition it is 'To scorn delights and live laborious days,' would not find something in the air of this demesne so soothing as to dampen the fire of his great purposes and dispose him to believe that there is more dignity in repose than merit in action. There is not wanting something of the charm of historical association here. The estate derives its name from General Montgomery, the hero and martyr of Quebec, (whose portrait, among other fine family pictures, adorns the walls of the mansion.) Mrs. Montgomery, after his lamented death on the heights of Abraham, resided here during the remainder of her life. At her death she bequeathed it to her brother, the Hon. Edward Livingston, our late Minister to France. Here this distinguished diplomatist and jurist passed in elegant retirement the leisure intervals of a life largely devoted to the service of the State, and here still reside his family, whose greatest pleasure seems to be to add, if possible, every year some admirable improvement, or elicit some new charm of its extraordinary natural beauty.

"The age of Montgomery Place heightens its interest in no ordinary degree. Its richness of foliage, both in natural wood and planted trees, is one of its marked features. Indeed so great is the variety and intricacy of scenery caused by the leafy woods, thickets and bosquets, that one may pass days and even weeks here and not thoroughly explore all its fine points. A large part of the four hundred acres is devoted to pleasure grounds and ornamental purposes. The ever varied surface affords the finest scope for the numerous roads, drives and walks with which it abounds. Even its natural boundaries are admirable. On the West is the Hudson, broken by islands into an outline unusually

varied and picturesque. On the North it is separated from Anandale, the adjoining seat, by a wooded valley, in the depths of which runs a broad stream, rich in waterfalls. On the South is a rich oak wood, in the centre of which is a private drive. On the East it touches the post road; here is the entrance gate, and from it leads a long and stately avenue of trees, like the approach to an old French chateau. Half way up its length the lines of planted trees give place to a tall wood, and this again is succeeded by the lawn, which opens in all its stately dignity, with increased effect, after the deeper shadows of this vestibule-like wood.

"The eye is now caught at once by the fine specimens of hemlock, lime, ash and fir, whose proud heads and large trunks form the finest possible accessories to a large and spacious mansion, which is one of the best specimens of our Manor houses. Built many years ago, in the most substantial manner, the edifice has been retouched and somewhat enlarged within a few years, and is at present both commodious and architectural in its character. Without going into any details of the interior, we may call attention to the unique effect of the pavilion, thirty feet wide, which forms the north wing of this house. To attempt to describe the scenery which bewitches the eye as it wanders over the wide expanse to the west from this pavilion, would be but an idle effort to make words express what even the pencil of the painter often fails to copy.

"As a foreground, imagine a large lawn, waving in undulations of soft verdure, varied with fine groups and margined with rich belts of foliage. Its base is washed by the river, which is here a broad sheet of water, lying like a long lake beneath the eye; wooded banks stretch along its margin; its bosom is studded with islands which are set like emeralds on its pale blue waters. On the opposite shores, more than a mile distant, is seen a rich mingling of woods and corn fields. But the crowning glory of the landscape is the background of mountains. The Kaatskills, as seen from this part of the Hudson, are, it seems to us, more

beautiful than any mountain scenery in the middle States. It is not merely that their outline is bold, and that the summit of Round-top, rising three thousand feet above the surrounding country, gives an air of more grandeur than is usually seen, even in the Highlands, but it is the color which renders the Kaatskills so captivating a feature in the landscape here. Never harsh or cold, like some of our finest hills, nature seems to delight in casting a veil of the softest azure over these mountains, immortalized by the historian of Rip Van Winkle.

“Morning and noon the shade only varies from softer to deeper blue. But the hour of sunset is the magical time for the fantasies of the color-genii of these mountains. Seen at this period from the terrace of the pavilion of Montgomery Place, the eye is filled with wonder at the various dyes that bathe the receding hills, the most distant of which are twenty or thirty miles away. Azure, purple, violet, pale grayish lilac, and the dim hazy hue of the most distant cloud-rift, are all seen distinct, yet blending magically into each other in these receding hills. It is a spectacle of rare beauty, and he who loves tones of color, soft and dreamy, as one of the mystical airs of a German Maestro, should see the sunset fade into twilight from the seats on this part of the Hudson.

“On this place is a morning walk along the river bank, a wilderness or wood in which are the falls or cataract, over a rocky precipice forty feet in depth, a lake above the falls with an island in it, a splendid flower garden, an extensive drive, and an arboretum on a fine site in the pleasure grounds, set apart and thoroughly prepared for the purpose.

“Here is a scientific arrangement of all the most beautiful hardy trees and shrubs, which will interest the student, who looks upon the vegetable kingdom with a more curious eye than the ordinary observer. The whole extent of the private roads and walks within the precincts of Montgomery Place is between five and six miles. The remarkable natural beauty which it embraces has been elicited and heightened everywhere in a tasteful and judicious manner.

There are numberless lessons here for the landscape gardener ; there are a hundred points that will delight the artist ; there are meditative walks and a thousand suggestive aspects of nature for the poet ; and the man of the world, engaged in a feverish pursuit of its gold and its glitter, may here taste something of the beauty and refinement of rural life in its highest aspect, and be able afterwards understandingly to wish that

“One fair asylum from the world he knew,  
One chosen seat, that charms the various view ;  
Who boasts of more, (believe the serious strain,)  
Sighs for a home, and sighs, alas ! in vain.  
Through each he roves, the tenant of a day,  
And with the swallow wings the year away.”



## CHAPTER XXXV.

## LETTERS AND PRIVATE LIFE OF MRS. MONTGOMERY.

In the quiet home life of Mrs. Montgomery, on her beautiful place, she would comfort herself in her lonely hours by writing to her numerous friends, and these letters, expressive of her thoughts and feelings, have deep interest. Mrs. Warren, widow of Major General Joseph Warren, who was killed in the battle of Bunker Hill, writes thus to Mrs. Montgomery, November 25th, 1777, nearly two years after the death of the General at Quebec: "The sensibility of soul, the pathos of grief, so strongly marked in your letters, have convinced me that the brave Montgomery had a partner worthy of his character." To the letter from which the above extract was taken, Mrs. Montgomery wrote in reply as follows, to Mrs. Warren:

"MY DEAR MADAM:—The sympathy that is expressed in every feature of your letter claims from me the warmest acknowledgments, and the professions of friendship from one who so generously feels and melts at the woes of a stranger, not only soothe but flatter me. It is very kind of you, Madam, to seek for alleviating consolations in a calamity, (though of so much glory.) I thank God, I feel part of their force, and it is owing to such affectionate friends as you that have lightened the load of misery. As a wife, I must ever mourn the loss of the husband, friend and

lover ; of a thousand virtues, of all domestic bliss, the idol of my warmest affections, and, in one word, my very dream of happiness. But with America I weep the still greater loss of the firm soldier, and the friend to freedom. Let me repeat his last words when we parted : "You shall never blush for your Montgomery." Nobly has he kept his word, but how are my sorrows heightened ! Methinks I am like the poor widow in the Gospel, who having given her mite sits down quite desolate. Yet would I endeavor to look forward to the goal with hope ; and though the path is no longer strewn with flowers, trust to the sustaining hand of friendship to lead me safely through ; and in assisting me to rise superior to my misfortunes, make me content to drag out the remainder of life, till the Being who has deprived me of husband and father, will kindly close the melancholy scene, and once more unite me to them in a world of peace, where the tyrant shall no more wantonly shed the blood of his innocent subjects, and where virtue and vice shall receive their due reward."

All Mrs. Montgomery's letters to Mrs. Warren dwell on her irreparable loss, breathing a deep sorrow in every line, and a devotion to the memory of her soldier husband. She writes November 20th, 1780 : "I have been interrupted by another alarm of the enemy's being in full march for Saratoga, and the poor, harassed Militia are again called upon. My impatient spirit pants for peace, when shall the unfortunate individual have the gloomy satisfaction of weeping alone for his own particular losses. In this luckless state woes follow woes, every moment is big with something fatal ; we hold our lives and fortunes on the most precarious tenure. Had Arnold's plan taken place, we could not have escaped from a fate dreadful in thought ; for these polished Britons have proved themselves fertile in inventions to procrastinate (protract) misery."

Another letter of Mrs. Montgomery's, written in 1780, so agreeably describes the beautiful Mrs. John Jay, the daughter of the Hon. William Livingston, Governor of New Jersey, that we will

here give a short extract from it: "You speak of my dear friend Mrs. Jay; we have heard from her at Hispaniola, where she was obliged to put in after the storm in which she had like to be taken. When she arrives from Paris I expect to hear from her. If in the descriptive way, it shall be entirely at your service. She is one of the most worthy women I know, has a great fund of knowledge and makes use of most charming language; added to this, she is very handsome, which will secure her a welcome with the unthinking, whilst her understanding will gain her the hearts of the most worthy. Her manners will do honor to our countrywomen, and I really believe will please even at the splendid court of Madrid. \* \* \* \* The starting tear and the heaving sigh interrupt my thread. Strange that self will forever discover itself. I find I am to learn much before I become a philosopher; but in every instance of my life, I hope you, my dear Madam, will ever find me your sincere friend and humble servant,"

"JANET MONTGOMERY."

The following letters were lately published in Dawson's Historical Magazine, one written by Mrs. Montgomery to Mrs. Tappan, and the other to her little son:

"There is no pleasure equal to hearing, my dear little friend, of the improvement you and all those who are called after General Montgomery make in their learning, and I will please myself that they will all strive to be good and great men. I shall always be happy to hear how you go on, and will take an opportunity of sending you some books that may give you a fondness for reading. In the meantime beg you to make my compliments to your mama and your sisters, and wish you to believe me

"Your affectionate friend,

"JANET MONTGOMERY."

NEW YORK, April, 1784.

[Addressed]

MONTGOMERY TAPPEN, ESQ., Poughkeepsie.

"MADAM:—To attempt to give consolation on an occasion so

recent, and so fatal, where the most promising hopes are at once so cruelly blasted—where death has snatched to an untimely grave your only son—were an attempt far beyond my abilities was I less a mourner than I really am. My dear Madam, I feel very sensibly your loss, and if the silent tear and the sighing heart would share your pains, you should not, believe me, want these to console you.

“I had when I left town purposed to purchase him some books which I had promised, and which I in my hurry forgot. I several times made myself reproaches for this neglect, and fully intended writing for them this fall—but alas! his wants from us are now past. We may weep, but he is happy in the bosom of a father who supplies all his wants; and if so why do we still weep? or do we envy him his happiness?”

“When we reflect on the pains, the disappointments, the mortifications that the happiest are subject to in this world of care, why should you regret he has escaped from them all to become an heir of glory? Time, and reflections like these, will, I trust, be your comforters.

“God is just—He tempers the wind to the shorn lamb. I am one that speaks from a knowledge of His goodness—tried in the furnace of affliction by the loss of a Father and a Husband—which were the two strongest ties of my life; yet did He not permit me to sink under the weight of my woes, but bid me look forward to the high reputation they had left behind, and to the hour of death with the sweetest hopes.

“I close this with commending you to His care, and with assuring you that I shall ever remember with pleasure the attention you have shown for my husband’s memory.

“My compliments to Mr. Tappen.

“I am, dear Madam, your friend and humble S’t.

“J. MONTGOMERY.”

“CLERMONT, NOV. 24, 1784.

Mrs. TAPPEN.”

She went to Dublin, Ireland, with one of her nephews to visit her husband's family residing in Dublin, and she writes from there home : "When I return home I hope to find my dear country, for which I have bled, the envy of her enemies and the glory of her patriots."

The Marquis de Lafayette, an intimate friend of Mrs. Montgomery, and much at her house, when in America, during the war, writes to her from Paris, February 22d, 1786, from which letter the following extracts are made :

"I not to return to America, Madam ! I do assure you this idea would render me most miserable. To sever me from this fond hope would be half death to me. If born in France, I have been educated in America. So many friends there ; so many recollections at every step ! This year I am not able to go, but the year after this I hope I shall, as I want to plan a visit before the time when I shall bring my son over to spend three years on your happy side of the Atlantic. He has been a citizen of the United States, and he must go and learn on what principles he can deserve the flattering gratification. Be so kind, dear Madam, as to present my best and most affectionate respects to the ladies and youth of your beloved family. I feel as if I was one of them. Remember me often to them and let my name be now and then pronounced in the family conversation. I heartily feel for John's misfortunes which, added to an irreparable loss, must be too heavy indeed. I think a voyage with you will do him good, and I hope, as Madame de Lafayette takes the liberty to entreat you with me, that your intended excursion to Europe mayn't be deferred."

Mrs. Montgomery's nephew, Lewis, son of Edward Livingston, wrote to her from Bagnores, in August, the summer that he was traveling for his health in Europe, as follows : "I dined with the Marquis de Marbois, a few days before I left Paris. He could hardly recover his surprise upon my presenting him a letter from the widow of General Montgomery. He begged me to assure you of his gratitude for your recollection of him, and added that he



would himself express to you his feelings by the first opportunity that offered. I must not omit mentioning, either, the compliment the Count de la Forest paid you. Hearing I was from New York, he accosted me in a salon, where we both spent the evening, and made many enquiries respecting his old acquaintances, and among others asked whether I knew Mrs. Montgomery, describing her as "*une femme de beaucoup d'esprit et d'agrement's.*" Do not accuse me of wishing to flatter you ; I but repeat the truth."

Mrs. Montgomery was a woman of rare intellectual attainments and vigor of language in conversation. It is related of her that "after entertaining a guest of the heavy sort all day, she expressed relief at his departure in an audible sigh. One of her neices said to her, "Why, Aunt, you have not much patience with dull people." "Ah, no, my dear," she answered, "I have never been used to them." She did not confine her reading to works of fiction, which is the case with too many at the present day, but read all the old classics and historical works, being well versed in Rollin, Gibbon, and such standard authors. When she became advanced in age her sight almost entirely failed. She then employed a woman, Mrs. Griffith by name, to read to her. Mrs. Griffith afterwards stated it was almost impossible to find a book that she had not previously read, so thoroughly had she stored her mind, evidently believing with Marie Antoinette, "What a resource amid the calamities of life is a highly cultivated mind."

Mrs. Montgomery\* spent many of her winters in New York. Mrs. Ellet, in her "Queens of American Society," thus writes of New York society in those old times: "A ball was given at the Assembly Rooms on the east side of Broadway, above Wall street, (New York was then the Capital,) on the 7th May, 1789, to celebrate the Inauguration. The members of Congress and their families were present, with the Ministers of France and Spain, distinguished Generals of the Army, and persons eminent in the State. Among the most noted ladies were Mrs. Jay, Mrs. Hamil-

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\*Hunt's Life of Edward Livingston.

ton and Mrs. Montgomery, the widow of the hero of Quebec. A specialty at this ball was the presentation by the committee, to each lady, of a fan made in Paris, the ivory frame containing a medallion portrait of Washington in profile. These fans were presented to the ladies as each couple passed the receiver of tickets. It was of this ball that an account was published by Jefferson, in his 'Ana' upon insufficient authority. 'Washington danced in two cotillions and a minuet.' Colonel Stone, in describing this ball, says: 'Few jewels were then worn in the United States, but in other respects the costumes were rich and beautiful, according to the fashions of the day. One favorite dress was a plain celestial blue satin gown, with a white satin petticoat. On the neck was worn a very large Italian gauze handkerchief, with border stripes of satin. The head dress was a puff of gauze in the form of a globe, the head-piece of which was composed of white satin, having a double wing in large plaits, and trimmed with a wreath of artificial roses, falling from the left at the top, to the right at the bottom in front, the reverse behind. The hair was dressed all over in detached curls, four of which, in two ranks, fell on each side of the neck, and were relieved behind by a floating chignon. Some of the ladies wore hats of white satin, with plumes and cockades. A plain gauze handkerchief, sometimes striped with satin, was worn on the neck, the ends tied under the bodice.'

"The principal ladies of New York, at the time the Republican Court was established there, were Mrs. George Clinton, Mrs. Montgomery, Lady Stirling, Lady Kitty Duer, Lady Mary Watts, Lady Temple, Lady Christiana Griffin, the Marchioness de Brehan, Madame de la Forest, Mrs. John Langdon, Mrs. Tristram Dalton, Mrs. Knox, Mrs. Robert R. Livingston, of Clermont, the Misses Livingston, Mrs. Thompson, Mrs. Gerry, Mrs. McComb, Mrs. Edgar, Mrs. Lynch, Mrs. Houston, Mrs. Provost, Mrs. Beekman, the Misses Bayard, &c. Washington, after his wife's arrival, had a grand inaugural dinner, to which all members of the best society in New York were invited, and two days afterwards Mrs. Washington held her first levee, at which full dress was required of all."

We now change to a more sad scene. In 1818 a request in behalf of Mrs. Montgomery was made to the Governor-in-Chief of Canada, Sir John Sherbrooke, to allow the remains of General Montgomery to be disinterred and removed to New York. This request was acceded to, and Mr. James Thompson, of Quebec, who was one of the Engineers at the time of the storming of the city, and who helped to bury the General, assisted in the disinterment, making an affidavit to the identity of the body. He stated in his affidavit that the body was taken to the house of Mr. Gobert and placed in a coffin lined with flannel, and covered with black cloth; that Rev. Mr. Montmolin, chaplain to the garrison, performed the funeral service; that Montgomery's aids (McPherson and Cheeseman,) were buried in their clothes without coffins; and that he (Thompson) afterwards wore Montgomery's sword, but the American prisoners were so affected by the sight of it that he laid it aside. He identified the coffin, taken up on June 16th, 1818, as the one in which General Montgomery was buried.

Governor DeWitt Clinton, in conformity to an act passed by the Legislature of New York at its previous session, to send to Quebec to remove General Montgomery's remains to New York, commissioned Lewis Livingston, Hon. Edward Livingston's son, to proceed to Whitehall to receive the remains and attend to having it carried to New York in a proper manner. He received the appointment of Colonel, as the following letter to his father will show: "So much for the General; now a word for myself. The inhabitants of Whitehall, who, with the prophetic spirit of the witches in Macbeth, had, as I have already informed you, hailed me Colonel, gave me, as the event turned out, the title I had a claim to. The Adjutant-General, on his arrival, showed me the general order which had been issued, in which the name of Colonel Livingston stood prominent, and explained the mystery by presenting me a Colonel's commission—which the Governor was pleased to call a reward for my good conduct. If other grades are to be obtained at so easy a rate as this, I do not despair of one day becoming a Major-General; and to say the truth, the honor that

has been conferred on me I would willingly have dispensed with. I have felt so ashamed in opening letters directed to the Colonel that I think I could go to Quebec to un-Colonel myself."

It was on the 29th of June that Governor Clinton wrote to Mrs. Montgomery to inform her that the remains of the General were at Whitehall, and had been received with honors there, and that a military escort would accompany the remains to Albany. It arrived there on Saturday, July 4th, and lay in state in the Capitol until Monday, when it was taken to New York, attended by a military escort, in the steamboat Richmond.

The Governor had written Mrs. Montgomery about what hour the boat would pass her residence at Montgomery Place on the Hudson. She had lived with the General but three years, and it was forty years since he had given her the parting kiss at the residence of General Schuyler, at Saratoga, before starting on his campaign. She stood alone, under the front portico of her house, at the appointed hour, watching for the expected boat. The boat appeared in sight and stopped for a minute in front of her residence, whilst the band on board played the "Dead March." A salute was fired, and then the boat proceeded on her way. Her friends and servants now looked for her; she had been so overcome by her emotions that she had fallen to the floor in a swoon. "Her soldier" had gone forth a man in the vigor and prime of life, and naught was returned to her but his ashes.

His name is still honored among us, and even in the hurry and bustle of Broadway the passer by will often stop to read the inscription on his monument, in front of St. Paul's chapel, which was erected to his memory in 1776, by the Continental Congress, and beneath which his remains were deposited in 1818, with military honors. The monument bears this inscription:

"This monument is erected by order of Congress, January 25th, 1776, to transmit to posterity a grateful remembrance of the patriotism, conduct, enterprise and perseverance of Major-General Richard Montgomery, who, after a series of successes in the midst of



the most discouraging difficulties, fell in the attack on Quebec, 31st December, 1775."

To those whose eyes have not beheld this memorial, we may describe it as a sculpture, composed of helmet, shield and sword, partially covered with laurel. Although this monument was ordered within a month after Montgomery's death, yet its erection was a matter of long delay. As no competent artist could be found in America at that time it was executed in Paris two years afterward; no doubt under the direction of Benjamin Franklin, who then represented the young Republic at the Bourbon Court. It is peculiarly French in its workmanship, and we believe it to be the only one of its kind in America. Having been brought over in some ship which escaped the blockading fleet, the completion of the work was delayed, by the presence in New York of the British troops, who held the city. After the evacuation the monument was placed in its present commanding position, and Montgomery was thus honored eight years after his death.

After the removal of Montgomery's remains in 1818, the following inscription was placed upon the monument:

"The State of New York caused the remains of Major-General Montgomery to be conveyed from Quebec and deposited beneath this monument the 8th of July, 1818."

The reader of history will recall the fact that the ill success of this first invasion of Canada by our troops has never been retrieved in any subsequent attempt. Harrison, Scott and Van Rensselaer failed to establish a foothold during the war of 1812, while General Pike fell at Toronto.

Mrs. Montgomery died in the month of November, 1827, esteemed and beloved by all who knew her. She bequeathed her beautiful country seat to her brother, Edward Livingston, as she left no children. She was a worthy sister of such men as Robert R. and Edward Livingston, and was well calculated to bear the proud appellation of a "Lady of the Manor."



## CHAPTER XXXVI.

## MARGARET LIVINGSTON.

The second daughter and third child of Judge Robert R. Livingston, Margaret, was born at Clermont, Columbia County, N. Y., on January 6th, 1749. She was the young lady before alluded to that was knitting the stocking when the news of Burgoyne's surrender was so joyfully announced at Clermont. She was a woman of fine poetical talent and of much humor. She married Dr. Thomas Tillotson, (Surgeon-General of the United States Army and Secretary of the State of New York,) in February, 1779. She died in 1823, at Rhinebeck, leaving several children.





1860

## CHAPTER XXXVII.

## CATHARINE LIVINGSTON.

The third daughter of Judge Robert R. Livingston, Catharine, was born at Clermont, the 14th of October, 1752. She was tall and graceful in person, animated in manners, and of fine mental powers. She had many admirers, but passed the period of middle life unmarried. She took a deep interest in the war for Independence, and was always ready to converse, with a feeling of pride, on the part taken by her brother, the Chancellor, and her brother-in-law, General Montgomery, in that eventful war. She thus wrote to Mrs. General Warren in April, 1781:

\* \* \* "The news from the southward is by no means so favorable as the sanguine among us expected. Arnold, it is feared, will get off safely, as well as Cornwallis. I think the British understand retreat better than we do pursuit. It has been an observation, this war, whenever the expectations of the multitude were raised to almost a certainty of success, the event has turned directly opposite to their views. This I believe we may extend to private as well as public concerns."

Miss Livingston's brother-in-law, Mr. Tillotson, had invited the Rev. Freeborn Garrettson to preach at Rhinebeck, and he passed several weeks at his house. Miss Catharine Livingston was there

on a visit at the same time, and this friendship between them ended in marriage in 1793.

Mr. Garrettson, after his marriage, settled at Rhinebeck, and lived in a stone house in that town. Six years after their marriage they purchased a place near Rhinebeck Station, on the banks of the Hudson, erected a mansion thereon, and named this country seat "Wildercliff."

Lossing, in his *Book of the Hudson*, thus writes of Mr. and Mrs. Garrettson: "Freeborn Garrettson was an eminent Methodist preacher, and a leader among the plain Methodists in the latter part of the last century, when that denomination was beginning to take fast hold upon the public mind in America, and his devoted, blameless life did much to commend his people to a public disposed to deride them. Mr. Garrettson left the church of England, in which he had been educated. The Methodists were despised in most places. He was a native of Maryland. Eminently conscientious, he gave his slaves their freedom, and entering upon his ministry preached everywhere, on all occasions, and at all times, offending the wicked and delighting the good, and fearless of all men, having full faith in a Special Providence, and oftentimes experiencing proofs of the truth of the idea to which he clung. One example of his proofs may be cited. A mob seized him on one occasion, and were taking him to prison by order of a magistrate, when a flash of lightning dispersed them and they left him unmoled. In 1788 he was appointed Presiding Elder over the churches in the district extending from Long Island Sound to Lake Champlain, more than two hundred miles. One of his converts was the daughter of Judge Livingston, of Clermont, whom he married. Probably no house in the world has ever held within it so many Methodist preachers as this one at Wildercliff, from the most humble of weak vessels up to Bishop Asbury, and other dignitaries of the church; for with ample means at command, the doors of Mr. Garrettson and his wife were ever open to all, especially to their brethren in the ministry."



Mrs. Garrettson wrote as follows in the year 1799: "Our house being nearly finished, in October we moved into it, and the first night spent in family prayer. While my blessed husband was dedicating it to the Lord the place was filled by His presence who, in the days of old, filled the temple with his glory. Every heart rejoiced and felt that God was with us of a truth. Such was our introduction into our new habitation, and had we not reason to say, with Joshua of old: 'As for me and my house, we will serve the Lord.'"

Mrs. Olin, in her sketch of Mrs. Garrettson, in her work, "The Perfect Light," thus beautifully writes of this home: "It was a home for the Lord's people; strangers were welcomed as brethren, and many a weary itinerant has rested there as in the palace Beautiful. Relatives and friends came to this pleasant home year after year, and enjoyed delightful interchange of thought and feeling with christians of differing denominations. 'I shall rejoice to see you,' wrote a lady to a niece of Mrs. Garrettson's, who looked upon her visits to Wildereliff as pilgrimages to a pleasant land, 'I shall rejoice to see you with the beams of light that always cluster round you after a Rhinebeck sojourn.' How many who have enjoyed the genial hospitality of this house will recall the dignified form of its hostess, with her marked features, her soft, hazel eye, the brown hair, parted under the close fitting cap, with its crimped muslin border, the neatly fitting dress, always simple yet always becoming, well formed hands, the slender foot, with its pretty morocco slipper."

No one could for a moment imagine that this was the once gay young lady whose hand had been asked for in the dance by General Washington. One of Mrs. Garrettson's nieces had requested her to write something for her in her Album, to which she complied and wrote as follows. It shows the turn of her thoughts, which were, but for the one thing needful:

"RHINEBECK, October 13th, 1835.

"You wish, my dear, dear niece, some memorial of your aged

friend, when she shall have passed away into a world of spirits ; and what interesting event of a long life can I look back upon with more heartfelt pleasure than the one which took place this day forty-eight years ago. Yes, my dear, on that blessed day God permitted me, in a transport of joy, to cry, 'Abba, Father ;' to know that my sins were washed away ; that I was adopted into the family of Heaven, through the great atonement made on Calvary. My life, since that period, has been crowned with blessings from the upper and the nether springs, and I look forward with brightening hopes to a day when the light of life shall shine with such commanding influence on our earth that blind eyes shall see, deaf ears hear, and hard hearts melt, and one universal voice of praise ascend up like incense to the great white throne of God. Thousands and tens of thousands are lifting up the daily cry, 'Come, Lord Jesus, come quickly ;' the voice is gone up, 'Thy kingdom come,' uttered by every new-born soul, and he who taught us thus to pray will not be slow to answer. The time is drawing on, the great work is progressing, let us hasten it by our prayers and by all the influence of a life devoted to the service of God, can give. The door of usefulness is open wide, the demand for laborers is imperious. There is a loud call for the exertion of every talent ; the whole world is to be regenerated ; happy they who shall be honored with any employment in this work ; 'they shall be like a tree planted by the rivers, that bringing forth his fruit in his season, his leaf shall not wither ;' his eyes shall be clearer than the noonday, he shall shine forth, he shall be as the morning. Exert every talent God has given you for his glory, and you will find, sooner or later, a rich reward. May you, my dear, be ever guided by the good spirit to will and do all that is required of you, and hereafter inherit the rich reward of 'Well done, good and faithful servant, enter thou into the joy of thy Lord.' "

Nearly all her sisters and brothers died before she closed her happy life. She was beside the dying beds of both her brothers, the Chancellor, Robert R., and Edward Livingston, heard their

last words, and witnessed their trust in their Saviour, in whom, alone, they looked for the life beyond the grave.

Mr. Garrettson was seized with a sudden illness at the house of a friend of his in New York, in the year 1827, which illness was followed by death. Mrs. Garrettson in the month of July, 1849, then in her 97th year, went to visit her sister-in-law, Mrs. Edward Livingston, at Montgomery Place, and on the way there stopped at her brother's, Mr. John R. Livingston's place, near Barrytown. She had not felt very well when she left home, and upon her arrival at Montgomery Place was suddenly taken ill. Medical aid proved of no avail, and the 14th of July, 1849, was her last day on earth.

When death shut out the forms of those she loved who stood beside her bed, she cried out, with eyes upturned and hands clasped, "Come, Lord Jesus, come quickly," and then clapping her hands together she died with these words on her lips: "He comes, He comes." Before her death it yearly had been the custom of all the members of the family to visit her on her birth-day, when she presided at the head of the table. This happy renewal of friendship and love was kept up for many years, and I well remember hearing one of her nieces speak with pleasure of the good health of her aunt at one of those love feasts, a few days after one had taken place.

## CHAPTER XXXVIII.

## GERTRUDE LIVINGSTON.

The fourth daughter and seventh child of Judge Robert R. Livingston, Gertrude, was born at Clermont, Columbia County, N. Y., on the 16th of April, 1757, and on the 11th of May, 1779, was married to General Morgan Lewis, afterwards Governor of the State of New York. Their home was a fine country seat on the banks of the Hudson, at Staatsburgh. It was at this place that the Marquis de Lafayette passed a morning, in 1824, when on his way up the river to visit Robert L. Livingston, at Clermont.

Morgan Lewis was in the battle of Stillwater, and witnessed the surrender of Burgoyne. He then held the commission of Quartermaster in the army. Major-General Wilkinson, Gates' Adjutant-General, writes, in his memories of the battle, that "no general field officer was on the field of battle during the day," intimating that he himself chiefly conducted affairs. He also writes: "When towards evening, Gates and Arnold were together in front of the camp, Major Lewis came in from the scene of action and announced that the battle was still undecided, when Arnold exclaimed, 'I will soon put an end to it,' and rode off at full gallop and gained the day."

In October, 1780, Morgan Lewis, then a Colonel under General Van Rensselaer, led the van of the attack against Johnson and Brant with their forces of Indians, and defeated them, on the banks of the Mohawk river, at the battle called Klock's field.

In January, 1791, Aaron Burr, who had been Attorney General, was elected to represent the State of New York in the Senate of the United States. Dr. Hammond, in his History of Political Parties of the State of New York, writes, that "Morgan Lewis, a connection of the Livingston's, succeeded Burr as Attorney-General, and suggests that this may have been foreseen at the time of the election."

General Lewis was afterwards Chief Justice, and nominated for Governor of the State of New York against Aaron Burr. General Lewis was supported by the Livingston's and Clinton's, and received 35,000 votes, and Aaron Burr received 28,000 votes, leaving a majority in General Lewis' favor of 7,000 votes, a large majority.

General Lewis may be said to have been the founder of the Common School system of the State; he was President of the Society of Cincinnati from 1838 up to the time of his death in 1844, when he was in the 90th year of his age. His wife died many years before him, in April, 1833.



## CHAPTER XXXIX.

## JOANNA LIVINGSTON.

The fifth daughter and eighth child of Judge Robert R. Livingston, Joanna, was born at Livingston Manor, Clermont, N. Y., the 14th of September, 1759. She was a woman of much strength of character, yet very gentle and amiable in her manners. She was married to Peter R. Livingston, well known in the political annals of this State both as a Democrat and a Whig. In 1839, or about that time, many will remember how his eloquence, though his frame was then quivering with age, made the multitude thrill, in old Masonic Hall, New York.

The State of New York, about that period, had been for the first time able to recover from the storm of Jacksonism, and this recovery of the great Empire State so inspired the Whigs of the Union, that they visited New York, in delegations of congratulation. Old Peter R. Livingston was the orator who welcomed them, and the welcome he gave them was worthy the inspiration of the victory, and of the then great occasion.

His uncle, Peter R. Livingston, eldest son of Robert, the third Lord of the Manor of Livingston, who married Mary Tong, was, during the Revolution, President of the Provincial Congress, seated at Fishkill and Esopus. Peter R. Livingston lived the

greater part of his life at his country seat near Rhinebeck. It is on this place that the willow tree planted by General Montgomery a few days before he left on his Northern campaign, can be seen.

Joanna Livingston died in February, 1827. Singular to relate, all of Judge Livingston's daughters married distinguished men. Writes Mrs. Montgomery of a family dinner party: "Never was a table so surrounded." All these sisters were ardent politicians, and women of more than ordinary ability, and followed with interest and intelligent appreciation the public labors of their brothers and husbands.

## CHAPTER XL.

## ALIDA LIVINGSTON.

The sixth daughter and ninth child of Judge Robert R. Livingston, Alida, was born at Clermont, N. Y., on Christmas eve, December 24th, 1761. She was married on the 19th of January, 1789, to General John Armstrong, who was a Captain at sixteen, a Major at eighteen, a Colonel at twenty, Secretary to the Council at Philadelphia at twenty-two, and also Secretary of State of Pennsylvania, and in Congress, and a General when twenty-five years of age. He was Minister to France during the latter part of Mr. Jefferson's administration, and Secretary of War under James Madison, when Washington was captured by the British in our second war with England.

In 1777 Washington received intelligence that the enemy were landing in Elk river, at the end of Chesapeake Bay, from the fleet under General Howe; this was seventy miles from Philadelphia. Every attempt was made to check them; the divisions of Generals Greene and Stephens that were within a few miles of Wilmington received orders to march forward immediately. Major John Armstrong, who now commanded the Pennsylvania militia, was urged to send down at night all the men he could gather, properly armed.

On the 8th of September, 1777, Major Armstrong was stationed about a mile and a half below the main body of the army to protect the lower fords of the river Brandywine, which extended in front of the whole line and divided the American from the British armies. The American army was defeated at the battle of Brandywine and retreated to Germantown, near Philadelphia, but were not pursued. General Washington left the Pennsylvania militia in Philadelphia to guard that city, and other regiments under General Armstrong were posted at the various passes of the Schuylkill, with orders to throw up earth works. All the boats were collected and taken over the river to places of safety.

Thomas Wharton, Governor of Pennsylvania, on the 17th of October received the following earnest appeal from General Washington to keep up the quota of troops demanded of the State by Congress, and to furnish additional aid. "I assure you sir," writes he, "it is a matter of astonishment to every part of the continent to hear that Pennsylvania, the most opulent and populous of all the States, has but twelve hundred militia in the field at a time when the enemy are endeavoring to make themselves completely masters of, and to fix their quarters in her capital."

Major-General Armstrong, commanding the Pennsylvania militia, writes at the same time to the Council of his State: "Be not deceived with wrong notions of General Washington's numbers; be assured he wants your aid. Let the brave step forth; their example will animate the many. You all speak well of our Commander-in-Chief at a distance; don't you want to see him and pay him one generous, one martial visit, when kindly invited to his camp, near the end of a long campaign. Then you will see for yourselves the unremitting zeal and toils of all the day and half the night, multiplied into years, without seeing house or home of his own, without murmur or complaint; but believes and calls this arduous task the service of his country and of his God."

In 1782 the headquarters of Washington was at Newburgh, on the Hudson; he lived there in a stone house, which is still stand-

ing. Here occurred events most painful to Washington, and a blur upon the life of General Armstrong, which we would willingly pass over, but our duty in stating facts compels us to relate. The soldiers of the army at Newburgh became very discontented, respecting the arrearages of pay, past and future, and in the Spring of 1782 this feeling spread alarmingly in the camp.

Complaints were frequently sent to General Washington through Colonel Nicola. In May Colonel Nicola wrote a letter to Washington, the tenor of which affected him very deeply. After writing of the destitution of the army, and the poor hopes the soldiers had of receiving their pay from Congress, and after writing further upon different forms of government, he concluded by stating that in his opinion no republic could ever stand, that the English government was the nearest to perfection, and that if the people would properly consider matters they would all arrive at the same conclusion, and adopt it.

He further added that "in this case it will, I believe, be uncontroverted, that the same abilities which have led us through difficulties apparently insurmountable by human power, to victory and glory, those qualities that have merited and obtained the universal esteem and veneration of an army, would be most likely to conduct and direct us in the smoother paths of peace. Some people have so connected the idea of tyranny and monarchy, as to find it very difficult to separate them. It may, therefore, be requisite to give the head of such a constitution, as I propose, some title apparently more moderate, but if all other were once adjusted, I believe strong arguments might be produced for admitting the title of King, which I conceive would be attended with some national advantage."

But how much he and others mistook the character of the great Washington may be inferred from the severe and well deserved rebuke which the Commander-in-Chief gave them in his answer, as follows :

"SIR:—With a mixture of great surprise and astonishment I



have read, with attention, the sentiments you have submitted to my perusal. Be assured, Sir, no occurrence in the course of this war has given me more painful sensations than your information of there being such ideas existing in the army as you have expressed, and which I must view with abhorrence, and reprehend with severity. For the present the communication of them will rest in my own bosom, unless some further agitation of the matter shall make a disclosure necessary. I am much at a loss to conceive what part of my conduct could have given encouragement to an address which, to me, seems big with the greatest mischiefs that can befall my country. If I am not deceived in the knowledge of myself you could not have found a person to whom your schemes are more disagreeable. At the same time, in justice to my own feelings, I must add that no man possesses a more serious wish to see ample justice done to the army than I do; and as far as my power and influence, in a constitutional way, extend, they shall be employed to the utmost of my abilities to effect it, should there be any occasion. Let me conjure you, then, if you have any regard for your country, concern for yourself, or posterity, or respect for me, to banish these thoughts from your mind and never communicate, as from yourself or any one else, a sentiment of the like nature.

GEORGE WASHINGTON."

If the above did not show the true patriotism of Washington, what event in his life did more so? What a temptation to an ambitious man to make himself King. Had he been for self and not for his country, and had the ambition of the First Consul of France, where now would have been our Republic?

Congress was still making but feeble efforts to pay off the army and allay the discontents of the soldiers. A plan was arranged among a few officers at Newburgh to draw up a series of resolutions which, in the hands of a committee, would furnish new and powerful levers of operations to arouse Congress to a sense of its duty. It was at this time that General Gates' Aid-de-Camp, General John Armstrong, a young officer of only twenty-six years of

age, and of much ability, was selected to write an address to the army, to be circulated anonymously and privately, calculated to make a deep impression upon the minds of the discontented soldiery.

The first anonymous paper appeared in the camp on the 10th of March, 1783, calling a meeting at eleven o'clock the next day, of the general and field officers, of an officer from each company, and a delegate from the medical staff; to consider a letter received from their representatives in Philadelphia, and what measures should be adopted to obtain redress for all their grievances.

On the next morning another anonymous address was privately circulated. It professed to be from a fellow-soldier "who had shared in their toils and mingled in their dangers," and who till very lately had believed in the justice of his country. "After a pursuit of seven long years," observed he, "the object for which we set out is at length brought within our reach. Yes, my friends, that suffering courage of yours was active once; it has conducted the United States of America through a doubtful and bloody war; it has placed her in the chair of independency, and peace returns to bless—whom? a country willing to redress your wrongs, cherish your worth, and reward your services; a country courting your return to private life with tears of gratitude and smiles of admiration, longing to divide with you that independency which your gallantry has given, and those riches which your wounds have preserved! Is this the case? or is it rather a country that tramples upon your rights, disdains your cries, and insults your distresses? Have you not more than once suggested your wishes, and made known your wants to Congress—wants and wishes which gratitude and policy should have anticipated rather than evaded; and have you not lately, in the meek language of entreating memorials, begged from their justice, what you could no longer expect from their favor? How have you been answered? Let the letter which you are called to consider to-morrow make reply. If this then be your treatment while the swords you wear are

necessary for the defence of America, what have you to expect from peace, when your voice shall sink and your strength dissipate by division ; when those very swords, the instruments and companions of your glory, shall be taken from your sides, and no remaining mark of military distinction left but your wants, infirmities and scars ?

“Can you then consent to be the only sufferers by this revolution, and retiring from the field, grow old in poverty, wretchedness and contempt ? Can you consent to wade through the vile mire of dependency, and owe the miserable remnant of that life to charity, which has hitherto been spent in honor ? If you can, go, and carry with you the jest of Tories, and the scorn of Whigs ; the ridicule and what is worse, the pity of the world. Go starve and be forgotten ! But if your spirits should revolt at this ; if you have sense enough to discover, and spirit sufficient to oppose tyranny, under whatever garb it may assume, whether it be the plain coat of Republicanism, or the splendid robe of royalty ; if you have yet learned to discriminate between a people and a cause, between men and principles ; awake, attend to your situation, and redress yourselves ! If the present moment be lost, every future effort is in vain ; and your threats then will be as empty as your entreaties now.

“I would advise you, therefore, to come to some final opinion upon what you can bear, and what you will suffer. If your determination be in any proportion to your wrongs, carry your appeal from the justice to the fears of government, change the milk-and-water style of your last memorial ; assume a bolder tone, decent, but lively, spirited and determined ; and suspect the man who would advise to more moderation and longer forbearance. Let two or three men who can feel as well as write be appointed to draw up your last remonstrance, for I would no longer give it the suing, soft, unsuccessful epithet of memorial. Let it represent in language that will neither dishonor you by its rudeness, nor betray you by its fears, what has been promised by Congress, and what

has been performed ; how long and how patiently you have suffered ; how little you have asked, and how much of that little has been denied. Tell them that though you were the first, and would wish to be the last to encounter danger, though despair itself can never drive you into dishonor, it may drive you from the field ; that the wound often irritated and never healed may at length become incurable ; and that the slightest mark of indignity from Congress now, must operate like the grave and part you forever ; that in any political event the army has its alternative.

“If peace, that nothing shall separate you from your arms but death ; if war, that courting the auspices and inviting the direction of your illustrious leader, you will retire to some unsettled country, smile in your turn and mock when their fear cometh on ! But let it represent, also, that should they comply with the request of your late memorial, it would make you more happy and them more respectable ; that while war should continue you would follow their standard into the shade of private life, and give the world another subject of wonder and applause ; an army victorious over its enemies, victorious over itself.”

General Washington noticed the above papers with his usual characteristic firmness and caution. In his general orders he expressed that he placed confidence in the good sense of his under officers in order to prevent, if possible, their paying much regard to the paper that had been circulated in camp, which he pronounced as disorderly and irregular.

The following day the second anonymous paper was circulated throughout the camp, as follows :

“Till now the Commander-in-Chief has regarded the steps you have taken for redress with good wishes alone ; his ostensible silence has authorized your meetings, and his private opinions sanctified your claims. Had he disliked the object in view, would not the same sense of duty which forbade you from meeting on the third day of the week, have forbidden you from meeting on the seventh ? Is not the same subject held up to your view ; and has



it not passed the seal of office and taken all the solemnity of an order? This will give system to your proceedings and stability to your resolves," &c., &c.

On Saturday, March 15th, 1783, a meeting of officers took place. General Gates was called to the chair. General Washington rose and apologized for being present at the meeting, but the diligent manner in which anonymous writing had been circulated rendered it absolutely necessary that he should give his sentiments to the army on the nature and bad effects of such papers. He then proceeded to read with deep feeling an address, previous to which, however, he put on his spectacles and said: "I have not only grown gray, but blind in your service;" (which remark, under the circumstances, had a powerful effect upon the assemblage.) He then read as follows:

"Gentlemen, by an anonymous summons an attempt has been made to convene you together; how inconsistent with the rules of propriety, how unmilitary, and how subversive of all order and discipline, let the good sense of the army decide. In the moment of this summons another anonymous production was sent into circulation, addressed more to the feelings and passions than to the reason and judgment of the army. The author of the piece is entitled to much credit for the goodness of his pen, and I could wish he had as much credit for the rectitude of his heart, for as men see through different optics and are induced by the reflecting faculties of the mind to use different means to attain the same end, the author of the address should have had more charity than to mark for suspicion the man who should recommend moderation and longer forbearance; or in other words, who should not think as he thinks, and act as he advises. But he had another plan in view in which candor and liberality of sentiment, regard to justice, and love of country, have no part; and he was right to insinuate the darkest suspicion to effect the blackest design. That the address is drawn with great art, and is designed to answer the most insidious purposes; that it is calculated to impress the mind



with an idea of premeditated injustice in the sovereign power of the United States, and rouse all those resentments which must unavoidably flow from such a belief; that the secret mover of this scheme, whoever he may be, intended to take advantage of the passions while they were warmed by the recollection of past distresses, without giving time for cool, deliberate thinking, and that composure of mind which is so necessary to give dignity and stability to measures, is rendered too obvious by the mode of conducting the business to need other proofs than a reference to the proceedings.

“Thus much, gentlemen, I have thought it incumbent on me to observe to you, to show upon what principles I opposed the irregular and hasty meeting which was proposed to have been held on Tuesday last, and not because I wanted a disposition to give you every opportunity, consistent with your own honor and the dignity of the army, to make known your grievances. If my conduct heretofore has not evinced to you that I have been a faithful friend to the army, my declaration of it, at this time, would be equally unavailing and improper. But as I was among the first who embarked in the cause of our common country; as I have never left your side one moment, but when called from you on public duty; as I have been the constant companion and witness of your distresses, and not among the last to feel and acknowledge your merits; as I have ever considered my own military reputation as inseparably connected with that of the army; as my heart has ever expanded with joy when I have heard its praises, and my indignation has arisen when the mouth of detraction has been opened against it, it can scarcely be supposed at this last stage of the war that I am indifferent to its interests. But how are they to be promoted?

“The way is plain, says the anonymous addresser. ‘If war continues, remove into the unsettled country, there establish yourselves and leave an ungrateful country to defend itself.’ But who are they to defend? Our wives and children, our farms and other

property which we leave behind us; or in this state of hostile separation are we to take the two first, (the latter cannot be removed,) to perish in a wilderness with hunger, cold and nakedness. If peace takes place, 'never sheathe your swords', says he, 'until you have obtained full and ample justice.' This dreadful alternative of either deserting our country in the extremest hour of her distress, or turning our arms against it, which is the apparent object, unless Congress can be compelled into instant compliance, has something so shocking in it that humanity revolts at the idea. My God! what can this writer have in view by recommending such measures? Can he be a friend to the army? Can he be a friend to this country? Rather is he not an insidious foe! Some emissary, perhaps from New York, plotting the ruin of both by sowing the seeds of discord and separation between the civil and military powers of the Continent; and what a compliment does he pay to our understandings, when he recommends measures in either alternative impracticable in their nature. But here, gentlemen, I will drop the curtain, because it would be as imprudent in me to assign my reasons for this opinion, as it would be insulting to your conception to suppose you stood in need of them.

"A moment's reflection will convince every dispassionate mind of the physical impossibility of carrying either proposal into execution. There might, gentlemen, be an impropriety in my taking notice in this address to you of an anonymous production; but the manner in which that performance has been introduced to the army; the effect it was intended to have, together with some other circumstances, will amply justify my observations on the tendency of that writing. With respect to the advice given by the author to suspect the man who shall recommend moderate measures and longer forbearance, I spurn it, as every man who regards that liberty and reveres that justice for which we contend, undoubtedly must; for if men are to be precluded from offering their sentiments on a matter which may involve the most serious and alarming consequences that can invite the consideration of mankind, reason is no use to us. The freedom of speech may be taken

away, and dumb and silent we may be led as sheep to the slaughter. I cannot in justice to my own belief, and what I have great reason to conceive is the intention of Congress, conclude this address, without giving it as my decided opinion that that honorable body entertains exalted sentiments of the services of the army, and from a full conviction of its merits and sufferings will do it complete justice; that their endeavors to discover and establish funds for this purpose have been unwearied and will not cease till they have succeeded. I have not a doubt, but like all other large bodies, where there is a variety of different interests to reconcile, their determinations are slow. Why, then, should we distrust them, and in consequence of that distrust adopt measures which may cast a shade over that glory which has been so justly acquired, and tarnish the reputation of an army which is celebrated through all Europe for its fortitude and patriotism? And for what is this done; to bring the object we seek nearer? No! Most certainly, in my opinion, it will cast it at a greater distance.

“For myself, (and I take no merit in giving the assurance, being induced to it from principles of gratitude, veracity and justice, a grateful sense of the confidence you have ever placed in me,) a recollection of the cheerful assistance and prompt obedience I have experienced from you under every vicissitude of fortune, and the sincere affection I feel for an army I have so long had the honor to command, will oblige me to declare in this public and solemn manner, that in the attainment of complete justice for all your toils and dangers, and in the gratification of every wish so far as may be done consistently with the great duty I owe my country, and those powers we are bound to respect, you may freely command my services to the utmost extent of my abilities, while I give you these assurances and pledge myself, in the most unequivocal manner, to exert whatever ability I am possessed of in your favor. Let me entreat you, gentlemen, on your part, not to take any measures, which, viewed in the calm light of reason, will lessen the dignity and sully the glory you have hitherto maintained. Let me request you to rely on the plighted faith of your country,

and place a full confidence in the purity of the intentions of Congress, that, previous to your dissolution, as an army, they will cause all your accounts to be fairly liquidated, as directed in the resolutions which were published to you two days ago, and that they will adopt the most effectual measures in their power to render ample justice to you for your faithful and meritorious services; and let me conjure you in the name of our common country, as you value your own sacred honor, as you respect the rights of humanity, and as you regard the military and national character of America, to express your utmost horror and detestation of the man who wishes, under any specious pretenses, to overturn the liberties of our country, and who wickedly attempts to open the flood gates of civil discord and deluge our rising Empire in blood.\* By thus determining and thus acting you will pursue the plain and direct road to the attainment of your wishes; you will defeat the insidious designs of our enemies, who are compelled to resort from open force to secret artifice; you will give one more distinguished proof of unexampled patriotism and patient virtue, rising superior to the pressure of the most complicated sufferings; and you will, by the dignity of your conduct, afford occasion for posterity to say, when speaking of the glorious example you have exhibited to mankind, had this day been wanting, the world had never seen the last stage of perfection to which human nature is capable of attaining."

When Washington had finished reading this beautiful patriotic address he retired without uttering a word, leaving the officers together to talk calmly the whole matter over. Their deliberations were short, and they at once drew up and passed resolutions by a unanimous vote, one of which thanked their Commander-in-Chief for his good part in the matter, and for his able address, and also expressed their unabated and undying love for his person and willingness to put their faith in Congress, and to wait the deliberations of that body. One of the resolutions was as follows:

"Resolved, unanimously, that the officers of the American army

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\*Jeff. Davis and the conspirators of 1861 to 1865.



view with abhorrence, and reject with disdain, the infamous propositions contained in a late anonymous address to the officers of the army, and resent with indignation the secret attempts of some unknown person to collect the officers together in a manner totally subversive of all discipline and good order."

It was in the old building still standing, at Newburgh, that Washington wrote his address to the officers, and here also he wrote his circular letter addressed to the Governors of all the States on the disbanding of the army. This letter, writes Sparks, "Is remarkable for its ability, the deep interest it manifests for the officers and soldiers who had fought the battles of their country, the soundness of its principles, and the wisdom of its counsels. Four great points he aims to enforce, as essential in guiding the deliberations of every public body, and as claiming the serious attention of every citizen, namely: an indissoluble union of the States; a sacred regard to public justice; the adoption of a proper military peace establishment; and a pacific and friendly disposition among the people of the States, which should induce them to forget local prejudices and incline them to mutual concessions for the advantage of the community.

"These he calls the pillars by which alone independence and national character can be supported. On each of these topics he remarks at considerable length with a felicity of style and cogency of reasoning in all respects worthy of the subject. No public address could have been better adapted to the state of the times; and coming from such a source, its influence on the minds of the people must have been effectual and most salutary."

Major Shaw, who was present at Newburgh when Washington read his address to the officers, thus writes of him: "Happy for America that she has a patriot army, and equally so that Washington is its leader. I rejoice in the opportunities I have had of seeing this great man in a variety of situations; calm and intrepid when the battle raged; patient and persevering under the pressure of misfortune; moderate and possessing himself in the full career



of victory. Great as these qualifications deservedly render him, he never appeared to me more truly so than at the assembly we have been speaking of. On other occasions he had been supported by the exertions of an army and the countenance of his friends, but on this he stood single and alone. There was no saying where the passions of an army, which were not a little inflamed, might lead; but it was generally allowed that further forbearance was dangerous, and moderation had ceased to be a virtue. Under these circumstances he appeared, not at the head of his troops, but as it were in opposition to them; and for a dreadful moment the interests of the army and its General seemed to be in competition. He spoke; every doubt was expelled, and the tide of patriotism rolled again in its wonted course. Illustrious man—what he says of the army may with equal justice be applied to his own character: Had this day been wanting, the world had never seen the last stage of perfection to which human nature is capable of attaining."

General Knox drew up a series of resolutions, which were seconded by General Putnam, requesting General Washington to write to the President of Congress, entreating a speedy decision on the late address, and forwarded by a committee of the army. Washington accordingly wrote as follows:

"The result of the proceedings of the grand convention of officers, which I have the honor of enclosing to your Excellency, for the inspection of Congress, will, I flatter myself, be considered as the last glorious proof of patriotism which could have been given by men who aspired to the distinction of a patriot army, and will not only confirm their claim to the justice, but will increase their title to the gratitude of their country. Having seen the proceedings on the part of the army terminate with perfect unanimity, and in a manner entirely consonant to my wishes; being impressed with the liveliest sentiments of affection for those who have so long, so patiently and so cheerfully suffered and fought under my immediate direction; having, from motives of justice, duty and

gratitude spontaneously offered myself as an advocate for their rights; and having been requested to write to your Excellency, earnestly entreating the most speedy decision of Congress upon the subject of the late address from the army to that honorable body; it only remains for me to perform the task I have assumed and to intercede on their behalf, as I now do, that the Sovereign power will be pleased to verify the predictions I have pronounced and the confidence the army have reposed in the justice of their country. If beside the simple payment of their wages, a further compensation is not due to the sufferings and sacrifices of the officers, then have I been mistaken indeed. If the whole army have not merited what a grateful people can bestow, then have I been beguiled by prejudice and built opinions on the basis of error. If this country should not, in the event, perform everything which has been requested in the late memorial to Congress, then will my belief become vain, and the hope that has been excited void of foundation; and if; as has been suggested, for the purpose of inflaming their passions, the officers of the army are to be the only sufferers by the revolution; if retiring from the field they are to grow old in poverty, wretchedness and contempt; if they are to wade through the vile mire of dependency, and owe the miserable remnant of that life to charity, which has hitherto been spent in honor; then shall I have learned what ingratitude is, then shall I have realized a tale which will embitter every moment of my future life. But I am under no such apprehensions. A country rescued by their arms, from impending ruin, will never leave unpaid the debt of gratitude."

The letter to the President was accompanied by other letters to members of Congress, all making similar, direct, and eloquent appeals. The subject was again taken up in Congress, nine States concurred in a resolution commuting the half pay into a sum equal to five years whole pay; and the whole matter at one moment so fraught with danger to the republic, through the temperate wisdom of Washington was happily adjusted.

The anonymous addresses to the army, which were considered at the time so insidious and inflammatory, and which certainly were ill-judged and dangerous, "have since been avowed by General John Armstrong, a man who has sustained with great credit to himself various eminent posts under our government. At the time of writing them he was a young man, Aid-de-Camp of General Gates, and he did it at the request of a number of his fellow-officers, indignant at the neglect of their just claims by Congress, and in the belief that the tardy movements of that body required the spur and the lash."\*

General John Armstrong was born at Carlisle, in Pennsylvania, on the 25th of November, 1758. He was the youngest of two sons of General John Armstrong, of Carleton, distinguished for his services in the French and Indian war of 1756. When the revolution broke out young Armstrong was a student at Princeton College, and joined the army as a volunteer in Potter's Pennsylvania Regiment. He was afterwards Aid-de-Camp to General Hugh Mercer, and was at the battles of Brandywine and Princeton. At the latter General Mercer was killed.

He held afterwards the same position in the army of General Gates, and served in the northern campaign which ended in the capture of Burgoyne. In 1780 he was appointed Adjutant-General of the Southern army, but being taken very ill of a fever, on the river Pedee, was succeeded by Colonel Otho Williams, a few days before the defeat at Camden. He then resumed his old place as aid to General Gates, and remained with him until the close of the war.

General Armstrong, like all the members of the family mentioned in this work, purchased a fine place on the banks of the Hudson, between Rhinebeck and Barrytown, which is now occupied by his daughter, Mrs. William B. Astor, and known by the name of Rokeby. It is a fine seat and has a most splendid avenue of trees extending from the public road up to the house.

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\*Irving's Washington.

For forty years there was no certainty in the public mind who was the author of the anonymous Newburgh papers. That General Armstrong was generally suspected of being the author, among those who were well acquainted with his abilities, is very evident from a letter to him written by Col. Thomas Pickering, in after years, in which he states that so certain was he at the time of the identity of the author that he endorsed a copy of the address, which he received, as follows: "Written by Major John Armstrong, Jr."

Lossing states "that an article appeared in the January number of the United States Magazine, for 1823, in which the author, understood to be General Armstrong, avowed himself the writer of the Newburgh address."

It defends the cause of the writer, that the urgent necessity of the officers and soldiers of the army justified the act. Washington's opinion of the motives of the writer may be gathered from a letter of his during his second term of Presidency, written to General Armstrong about fourteen years after the above events had occurred. It was as follows:

"PHILADELPHIA, February 23d, 1797.

"SIR:—Believing that there may be times and occasions on which my opinion of the anonymous letters and the author, as delivered to the army in the year 1783, may be turned to some personal and malignant purpose, I do hereby declare that I did not, at the time of writing my address, regard you as the author of said letters; and further, that I have since had sufficient reason for believing that the object of the author was just, honorable and friendly to the country, though the means suggested by him were certainly liable to much misunderstanding and abuse.

"I am, Sir, with great regard,

"Your most obedient servant,

"GEORGE WASHINGTON."

General Armstrong's first civil appointment was that of Secretary of the State of Pennsylvania; he was Adjutant-General under



Dickenson's and Franklin's administrations, which he continued to occupy until 1787, when he was chosen a member of Congress. In the fall of 1787 he was appointed by Congress one of the Judges for the Western Territory ; this appointment he declined. He married in 1789, and in 1793 was offered by President Washington the place of United States Supervisor of the Collection of Internal Revenue in the State of New York. He declined this and other public offices until the year 1800, when he was elected by an almost unanimous vote of both houses of the Legislature as United States Senator. Having resigned in 1802, he was again elected in 1803, and the next year was appointed by President Jefferson, Minister Plenipotentiary to France, which position he filled with ability for over six years, and discharged incidentally the functions of a separate mission to Spain, with which he was invested.

He commanded the army in the city of New York from 1812 to 1813, when he was appointed by Mr. Madison as Secretary of War. This was in the midst of our second war with England. The capture of the city of Washington, in 1814, led to his retirement from office. Many held him responsible for this misfortune, but without justice in so doing.

General Armstrong died at his residence at Rhinebeck, N. Y., on the 1st of April, 1843, in the eighty-fifth year of his age. He was among the remarkable men of a remarkable generation. He left the following productions of his pen : a voluminous correspondence, diplomatic and military, a valuable treatise on Agriculture, Notices of the war of 1812, and several Biographies.

His wife, Alida Livingston, died upon her fifty-ninth birth day, December 24th, 1822, many years before her husband. We will all agree that General Armstrong was a distinguished man, and although he made one sad mistake, or error, in his life, he was at the time but a young man, and men often do deeds in early manhood that ripper years and more mature judgment and reflection would have prevented. But we will pass over this one mistake in



his life, and praise him for the good that he hath done, "and let that good live after him."

With this sketch we close with the last member of Judge Livingston's immediate family, a family that any father might feel proud of, both in sons and daughters.

## CHAPTER XLI.

## PHILIP LIVINGSTON.

Robert and Alida Livingston, the grandparents of Philip Livingston, had five sons and four daughters. Two sons and two of his daughters died unmarried. The three married sons were Philip, Robert and Gilbert. Philip was born in 1686. His son Philip Livingston was born at Albany, State of New York, on the 15th of January, 1716. His father was the second Lord of the Manor of Livingston, and inherited all the manorial property and offices, except thirteen thousand acres of land known as the Manor of Clermont, or southern part of the large Manor tract, which was left to Robert.

Philip Livingston graduated at Yale College, Connecticut, in 1737, and entered mercantile life in the city of New York, where he met with success, and was in 1754 elected a member of the board of Aldermen, and a member of the Colonial Convention at Albany; he was elected a delegate to Congress in 1774, also a member of the Congresses of 1775-6, and a signer of the Declaration of Independence, on that eventful day of our country's history, at Independence Hall, Philadelphia, July 4th, 1776.

After the final adoption of the Constitution of his native State, he was a member of the board of Treasury of Congress, and of the Marine Committee. He was a member of the Senate, and again elected to Congress in 1778, where he received the thanks of that body for his long and faithful services.

When Mr. Livingston resided at Albany he lived next to the corner of State and Pearl Streets, and the elm tree (yet standing on the corner of Pearl and State Streets,) was planted by him about one hundred years ago. It was then merely a twig; and it is said that Mr. Livingston severely rebuked a young sailor, one morning, who was about to cut it down for a switch or a cane. To the Albanians, in the heats of Summer, that now noble tree forms a grateful monument to the memory of its planter, and more truly valued than would be the costliest pile of brass or marble.

Mr. Livingston died while attending Congress, at York, Pennsylvania, of dropsy in the chest, on the twelfth day of June, 1778, not quite two years after he had declared his country free and independent, in the sixty-second year of his age. His monument at York, Pennsylvania, bears the following inscription :

“SACRED TO THE MEMORY OF THE  
HONORABLE PHILIP LIVINGSTON,

WHO DIED

JUNE 12TH, 1778, AGED 62 YEARS,

While attending the Congress of the United States, at York, Pennsylvania, as a Delegate from the State of New York.

Eminently distinguished for his talents and rectitude he deservedly enjoyed the confidence of his country, and the love and veneration of his friends and children.

This monument is erected by his grandson, Stephen Van Rensselaer.”

## CHAPTER XLII.

## SARAH LIVINGSTON.

Sarah Livingston was the sister of Philip, signer of the Declaration of Independence, and of William, Governor of New Jersey, and daughter of the second proprietor of the Manor. She was born at her father's residence, at Albany, N. Y., in 1722, and was brought up in the communion of the Dutch Reformed Church, of which she continued an earnest member until her death, at the advanced age of eighty-two. Possessed naturally of a strong mind she preserved her mental faculties unimpaired to the last, and found in her religious faith consolation for the reverses of fortune she experienced in the closing years of her life.

Of the mere competency left for her support she always appropriated a proportionally large part to charitable uses. She was married in early life to Major-General Alexander, (Earl of Stirling.) She accompanied her husband to the camp, at White Plains, and from there paid a visit to New York, then in possession of the British. She was accompanied in this visit by her youngest daughter, Lady Catharine Alexander. This visit was made to her eldest daughter, who, with her husband, Mr. Robert Watts, had remained quietly in the city, taking no active part with either side.

The letters of both mother and daughter are full of interest, as showing the situation and temper of those Americans who had remained in the city during its occupation by the enemy, and whom they met there in the course of their visit. Lady Catharine Alexander, (Earl of Stirling's) daughter was very beautiful and very much admired in society. She was afterwards married to Colonel William Duer, in 1779, at Baskenridge, New Jersey.

She writes in August, 1778, before her marriage, from Percippany, the place where Governor William Livingston's family had taken refuge after an invasion of Elizabethtown by the British; "she is sanguine in her hope of soon seeing her relatives, as zealous patriots as herself. Mr. Watts, (her brother-in-law,) is among the number of those who are heartily sick of the tyranny witnessed, and as to Mary, her political principles are perfectly rebellious. The sentiments of a great number have undergone a thorough change since they have been with the British army. As they have many opportunities of seeing flagrant acts of injustice and cruelty of which they could not have believed their friends capable, this convinces them that if they conquer we must live in abject slavery."

Lady Stirling exhibits her disinterested patriotism by refusing to avail herself of the permission, sent from Sir Henry Clinton, to take anything she pleased out of the city, fearing there would be a handle made of it if she accepted the offer. She writes :

"The last time I saw him (Mr. Elliott,) he told me I must take a box of tea, but I stuck to my text."

A letter of condolence of General Washington to Lady Stirling, upon her husband's death, has been preserved in the Historical Collections of New Jersey.

Her husband, whose proper name was William Alexander, and entitled to an Earldom in Scotland, and generally called Lord Stirling, was born in the city of New York in 1726. He received an excellent education, and acted as Commissary in the French



and Indian war; was Aid-de-Camp, and finally Secretary to General Shirly, and accompanied the latter to England at the close of those wars to prosecute his Scotch claims, expending large sums of money in this effort.

At the breaking out of the American Revolution he was stationed at Boston, and from there one night fitted out a pilot boat, and from under the guns of the British ship of war, "Asia," captured an English transport laden with stores, &c., for the enemy in Boston. He was made a Brigadier at the battle of Long Island, which he opened, and where he fought bravely, but being outnumbered by the enemy, and surrounded, was compelled to surrender, and was taken prisoner, but afterwards exchanged. He was with Washington at the battle of Brandywine, in 1777, and at Germantown commanded the reserve.

The next year he led one division of the army into battle at Monmouth, where he fought with such bravery as to astonish the British, and served all his guns with admirable skill. He was also in many other battles of the Revolution. He died in 1783, in the fifty-seventh year of his age, from a severe attack of the gout.

Many fine and heavy pieces of old family silver once owned by the Alexander family are yet in possession of the Livingston family. Among the number may be mentioned a celebrated punch bowl, now in the possession of Mrs. Edward H. Ludlow, New York.

## CHAPTER XLIII.

## WILLIAM LIVINGSTON, GOVERNOR OF NEW JERSEY.

William Livingston was the son of Philip Livingston, and brother of Robert and Philip. He was born at Albany, in November, 1723. In the year 1737, before he had terminated his fourteenth year, he left Albany and was entered as a freshman at Yale College, Connecticut. In 1741 he graduated at the head of his class, and commenced the study of law in the city of New York, at the office of Mr. James Alexander, a Scotch gentleman, who emigrated to New York in the year 1715.

There is in the possession of Mr. John Jay, of Bedford, Westchester County, N. Y., a small ill-painted likeness of young William Livingston, which represents him in a cocked hat and feather, ruffles, and small clothes. William Livingston was remarkably well educated, and possessed many solid and brilliant attainments, in both law and literature. He married, in 1745, Susannah French, of New Brunswick, a granddaughter of Philip French, an English gentleman.

Mr. French at one time owned a tract of land in New Jersey, comprising what is now New Brunswick. On her mother's side Miss French was granddaughter of Anthony Brockhold, who was

Lieutenant-Governor of the Colony of New York, under Andross, and afterwards its Governor.

Mr. Philip French, of England, married a daughter of Frederick Philipse, or, as formerly written, Flypsen, who was a Protestant Refugee, from Bohemia, where his father had lost his life. Philipse's other children were Eva, (who married Jacobus Van Cortlandt,) and became the mother of Mary Van Cortlandt, wife of Peter Jay, and mother of the Honorable John Jay, and had also two sons, Frederick and Adolphus. There was a grandson also of the name of Frederick, who joined the Tories in the Revolution; he was the inheritor of the Philipsburg Manor, upon the Hudson River; his estate was confiscated.

Governor Livingston's political principles were decidedly Republican, and he declined to give to his country home at Elizabethtown any name more aristocratic than "Liberty Hall;" which house is still standing and is the property of Mr. John Kean. It is a fine mansion of the olden time, overshadowed by trees and nearly shut out of sight from the public road by shrubbery. It stands upon the left of the Springfield turnpike, beyond the Elizabeth river, and about three quarters of a mile north of the railway station in the village.

William Livingston was a man of marked ability, decided in his views, fearless in their expression and execution, a writer of much force, oftentimes exhibiting great powers of satire. His family was large. He lost several sons in childhood, and had five daughters, viz: Susan, who married John Clere Symmes; Kitty, who married Matthew Ridley, of Baltimore; Judith, who married John W. Watkins; Sarah Van Burgh, born in August, 1757, and who married the Honorable John Jay, whom Mrs. Ellet writes of as follows:

"Sarah, the fourth daughter, inherited some of his finest traits, intellectual and moral, which were developed by a very careful education, which, with the father's stern patriotism and resolution,

she blended features of gentleness, grace and beauty peculiarly her own. The delicate sensibility occasionally exhibited in her letters seems to have come from her mother."

The fifth daughter, Mary, married Mr. James Linn. In the autumn of 1770 the principal lawyers of the city of New York formed, or organized themselves, into a law club called "The Moot," for the purpose of holding meetings, at certain specified times, to discuss legal questions. At the first meeting of this club, on the 23d day of November, 1770, William Livingston was elected President, and William Smith, Vice-President. This probably affords a very correct indication of the standing of these gentlemen at the bar. This club held its meetings usually about once a month, and from the high character and standing of its members their decisions were regarded with much respect, and it has been stated that they materially influenced the judgment of the Supreme Court. A question about that time which had arisen connected with the taxation of costs was sent down to "The Moot," by the Chief Justice for the express purpose of obtaining their opinion upon the same.

Mr. Livingston, according to club rules, retained his position as President of the club until the following November, when he was succeeded in the office by Samuel Jones. As some of the members of this club were afterwards numbered among the most prominent and distinguished men of the country, a few additional particulars will not be out of place, and may be of interest to many.

The club had the following strict and established By-Laws or Rules :

*"The Establishment and Rules of the Club called the Moot.*

"The undersigned, subscribers, desirous of forming a Club for social conversation, and the mutual improvement of each other, have determined to meet on the evening of the first Friday of every month at Barden's, or such other place as a majority of the members shall from time to time appoint, and for the better regulating the said Club do agree,

"That the said club shall be called the Moot. No member shall presume, upon any pretence, to introduce any discourse about the party politics of the province, and to persist in such discourse after being desired by the President to drop it, on pain of expulsion.

The Constitution is signed by

BENJAMIN KISSAM,  
WILLIAM LIVINGSTON,  
ROBERT R. LIVINGSTON, JR.  
DAVID MATTHEWS,  
WILLIAM SMITH,  
JOHN T. KEMPE,  
WILLIAM WICKLIAM,  
RICHARD MORRIS,  
SAMUEL JONES,

THOMAS SMITH,  
JOHN MORINE SCOTT,  
PETER VAN SCHIAACK,  
WHITEHEAD HICKS,  
JAMES DUANE,  
EGBERT BENSON,  
RUDOLPHUS RITZEMA,  
JOHN JAY,  
STEPHEN DELANCEY.

On March 4th, 1774, John Watts, Jr., and Gouverneur Morris were admitted to the Society. The last or final meeting took place 6th January, 1775. The following are some of the numerous offices and dates of the time when filled by Governor Livingston, and of works written and edited by him.

In 1759 he was elected the second time to the Assembly of New York from the district of his brother's Manor.

He moved to Elizabethport, New Jersey, in 1772, and was elected to Congress from New Jersey in 1774, and again returned to Congress in 1775, and again in 1776.

In June, 1776, he took the command of the militia at Elizabethtown, and was appointed Brigadier-General.

He was elected Governor of New Jersey in August, 1776, and was elected and filled that office for fourteen years from 1776 until 1790.

He was also a delegate in 1789 to the Convention that formed the Federal Constitution.

Governor Livingston was greatly beloved by the people for his virtues and republican principles, which was sufficient reason for their electing him so many years in succession to the Governor's chair. He wrote or edited the following works :

"The Art of Pleasing."



- "Philosophic Solitude, 1747."
- "The Independent Reflector, 1752-53."
- "The Watch Tower, 1754-55."
- "Digest of N. Y. Laws, 1752-62."
- "Review of Military Operations, &c., 1756."
- "Eulogium on Rev. Aaron Burr, 1757."
- "Essays under the title of the Sentinel, 1765."
- "Letter to Bishop of Llanduff, 1767."
- "The American Whig, 1768-69."
- "Lieut. Governor Colden's Soliloquy, 1770."
- "Essays under the title of the Primitive Whig, in the New Jersey Gazette, under the signature of Hortentius Scipio, 1777-86."
- "Essays in the American Museum, 1788-90."

## CHAPTER XLIV.

## GOVERNOR LIVINGSTON'S FAMILY, SKETCHES AND LETTERS.

One of Governor Livingston's daughters writes a letter to a friend, dated 29th November, 1777; the following extracts from it are valuable, as they convey some slight idea of the great sacrifices made by the leading Whigs, in the days of the Revolution:

"K—— has been to Elizabethtown; found our house in a most ruinous situation. General Dickenson had stationed a Captain with his artillery company in it, and after that it was kept for a bullock's guard. K—— waited on the General, and he ordered the troops removed the next day; but then the mischief was done. Everything is carried off that mama had collected for her accommodation, so that it is impossible for her to go down to have the grapes and other things secured; the very hinges, locks and panes of glass are taken away."

At this period, 1777, whilst Governor Livingston's family were residing at Percepany, he had returned upon a day's visit, which was discovered by the enemy and an attempt was made to capture him, probably with the view of taking his life. This incident was mentioned in the Galloway tracts of 1777.

The house was surrounded in the night by a party of Refugees, who thought it safest to wait until daylight to secure their prey ; but the Governor's habits of early rising saved him from becoming a prisoner. His enemies overslept themselves, and when the sun awoke them Governor Livingston was far away out of danger, en route to a neighbouring village.

To this period also belongs another incident which is so strongly illustrative of the character of many agents of the Revolutionary era, that we have to allow it space.

Some lady friends of Governor Livingston's daughters, residing in New York, then under military rule, wrote to them to use their influence with their father to obtain for them leave to pass a short time with Governor Livingston's family in New Jersey. Miss Livingston, well knowing her father's strict rules on this subject, and aware of his inflexibility to all such applications, addressed a letter herself to Alexander Hamilton, then an Aid-de-Camp to General Washington, with a request that he would be so kind as to endeavour to procure the much desired permission from the Commander-in-Chief. To this letter Hamilton returned the following answer :

"To Miss LIVINGSTON :—I can hardly forgive an application to my humanity to induce me to exert my influence in an affair in which ladies are concerned, and especially when you are of the party. Had you appealed to my friendship, or to my gallantry, it would have been irresistible. I should have thought myself bound to have set prudence and policy at defiance, and even to have attacked wind mills in your ladyship's service. I am not sure but my imagination would have gone so far as to have fancied New York an enchanted castle, the three ladies, so many fair damsels, ravished from their friends and held in captivity by the spells of some wicked magician, General Clinton, a huge giant, placed as keeper of the gates, and myself a valorous knight destined to be their champion and deliverer. But when, instead of availing yourself of so much better titles, you appealed to the cold general

principle of humanity, I confess I felt myself mortified, and determined by way of revenge to mortify you in turn; I resolved to show you that all the eloquence of your fine pen could not tempt Tories to do wrong, and avoiding any representation of my own, I put your letter into his hands and let it speak for itself. I knew, indeed, this would expose his resolution to a severer trial than it could experience in any other way, and I was not without my fears for the event; but if it should be decided against you, I anticipated the triumph of letting you see your influence had failed.

“I congratulate myself on the success of my scheme, for though there was a harder struggle upon the occasion between inclination and duty than it would be for his honor to tell, yet he at last had the courage to determine that, as he could not indulge the ladies with consistency and propriety, he would not run the risk of being charged with a breach of both. This he desired me to tell you, though to be sure it was done in a different manner, interlarded with many assurances of his great desire to oblige you, and of his regret that he could not do it in the present case, with a deal of stuff of the same kind which I have too good an opinion of your understanding to repeat. I shall therefore only tell you that whether the Governor and the General are more honest or more perverse than other people, they have a very odd knack of thinking alike, and it happens in the present case that they both equally disapprove the intercourse you mention, and have taken pains to discourage it. I shall leave you to make your own reflections upon this, with only one more observation, which is that the ladies for whom you apply would have every claim to be gratified, were it not that it would operate as a bad precedent. But before I conclude, it will be necessary to explain one point. This refusal supposes that the ladies mean only to make a visit and return to New York. If it should be their intention to remain with us, the case will be altered. There will be no rule against their coming out, and they will be an acquisition. But this is subject to two provisos:

"First—That they are not found guilty of treason or any misdemeanor punishable by the laws of the State, in which case the General can have no power to protect them; and—

"Secondly—That the ladies on our side do not apprehend any inconvenience from increasing.

"Trifling apart, there is nothing could give me greater pleasure, than to have been able to serve Miss Livingston and her friends on this occasion, but circumstances really did not permit it. I am persuaded she has too just an opinion of the General's politeness, not to be convinced that he would be happy to do anything which his public character would justify in an affair so interesting to the tender feelings of so many ladies. The delicacy of her own ideas will easily comprehend the delicacy of his situation. She knows the esteem of her friend.

"A. HAMILTON."

"The General and Mrs. Washington present their compliments.

"HEADQUARTERS, March 18th, 1779."

We will next give a letter of Governor Livingston, written to his daughter, Catharine, then in Philadelphia:

"To Miss Catharine Livingston, Philadelphia.

"RARITAN, 9th August, 1779.

"DEAR CATY:—The complaisance with which we treat the British prisoners, considering how they treat us when in captivity, of which you justly complain, is what the Congress can never answer to their constituents, however palliated with the specious name of humanity. It is thus that we shall at last be humanized out of our liberties. Their country, their honor, the spirits of those myriads who have fallen a sacrifice to the severity of their treatment by the enemy, and their own solemn oath, call upon that august body to retaliate without further procrastination. I know there are a number of flirts in Philadelphia equally famed for their want of modesty, as want of patriotism, who will triumph in our over complaisance to the Red Coat prisoners lately arrived in that



metropolis. I hope none of my connexions will imitate them, either in the dress of their heads or the still more tory feelings of their hearts.

“I am your affectionate father,

“WILLIAM LIVINGSTON.”

On the 27th of November, 1776, Governor Livingston wrote as follows to General Washington, showing that whilst many misjudged him, he truly appreciated our great chieftain in his most trying ordeal :

“I can easily form some idea of the difficulties under which you labor, particularly of one for which the public can make no allowance, because your prudence and fidelity to the cause will not suffer you to reveal it to the public ; an instance of magnanimity, superior perhaps to any that can be shown in battle. But depend upon it, my dear sir, the impartial world will do you ample justice before long. May God support you under that fatigue, both of body and mind, to which you must be constantly exposed.”

On November 16th, 1779, Governor Livingston penned the following letter, also addressed to his daughter Catharine :

“MOUNT HOLLY, 16th November, 1779.

“DEAR CATHARINE :—As we have not yet heard of the safe arrival of our friends on board of the Confederacy in the port of New York, I hope they have got such an offing as to be out of the track of the copper-bottoms. I am obliged to Mr. Morris for his promise of giving me the earliest intelligence of their arrival in France. I hope his business with the four quarters of the globe will not efface it from his memory. I have already suffered more anxiety on their account\* than I should have imagined I could be affected by on any account. The tenderness of a parent's heart can never be known till it is tried. The death of Mr. Heives is a public loss. He was an honest man, a greater scarcity in these times than even Hyson or double Refined. The enemy are col-

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\*The persons for whom anxiety is expressed in Governor Livingston's letter were Mr. and Mrs. John Jay.

lected in great force on Staten Island, and if they don't burn my house I shall think them still greater rascals than ever ; as I have really endeavored to deserve that last and most luminous testimony of their inveterate malice. They ought never to forget a man for being faithful to his trust. But we are at present in such a situation that they cannot travel far into New Jersey, nor stay twenty-four hours in it, without exposing themselves to a severe drubbing. I am, &c.,

“WILLIAM LIVINGSTON.”

The anecdote of Miss Susan Livingston preserving her father's, the Governor's, papers when the house was entered by a party of British from New York, on the 28th of February, 1779, is well related by a friend of Miss Livingston's, who heard it from her own lips, after the war had ended. “Governor Livingston, informed of the approaching invasion, left home at an early hour to escape capture, having confided his valuable papers to the care of his daughter. She had them placed in a carriage box, (box of a sulky,) and taken to a room in the upper story of the house. When the enemy were advancing Miss Livingston stepped from the window of the apartment upon the roof of the piazza to look at the Red Coats. A horseman in front of the detachment rode hastily up and begged that she would retire, for there was danger of some of his soldiers from a distance mistaking her for a man and firing upon her. The young lady attempted to climb in at the window, but found it impracticable, though it had been easy enough to get out. The horseman seeing her difficulty instantly sprang from his horse, went into the house and up stairs into the chamber, and leaping out upon the roof lifted Miss Livingston through the window. She asked to whom was she indebted for the courtesy ; the reply was ‘Lord Cathcart.’ She then, with admirable presence of mind, appealed to him, as a gentleman, for the protection of the box, which she said contained her private property ; promising if that could be secured to open her father's library to the soldiers. A guard was accordingly placed over the

box while the library was ransacked, and the men filled their foraging bags with worthless law papers and then quitted the house. The box thus saved contained the Governor's correspondence with Congress, the Commander-in-Chief and State Officers."

In one of Governor Livingston's letters to the Earl of Stirling, he says he has intrusted to his daughter Catharine his despatches to his correspondents in Spain.

General Washington's complimentary note to this lady was first published in Mrs. Ellet's *Women of the Revolution*. On the 28th of April, 1774, Governor Livingston's daughter Sarah, then in the eighteenth year of her age, was married at Elizabethtown, New Jersey, to the Hon. John Jay, then a young lawyer in his twenty-ninth year. He was of a Huguenot family, which, by intermarriage with the Bayards and Van Cortlandts, had become connected with the most prominent families of the province.

Miss Kitty Livingston wrote to her sister, Mrs. John Jay, at Madrid :\*

"MAY 23d, 1780.

"Lady Mary and Mrs. Watts have rented Mrs. Montgomery's farm for two years ; cousin Nancy Brown is one of their family. Colonel Lewis has purchased a house in Albany ; one of the girls live there with Gittey. He and Robert have each presented Cousin Livingston with a granddaughter. The Chancellor's is a remarkably fine child. Mrs. Livingston never looked so well as she did the last winter, and was so much admired in Philadelphia. She and Mrs. Morris were inseparable ; she was also a first favorite of Mr. Morris. His esteem I think very flattering. Robert is in Congress, and, I believe is at present there ; she is to accompany him in the fall. General and Mrs. Schuyler are at Morristown. The General is one of the three that compose a Committee from Congress ; they expect to be with the army all summer. Mrs. Schuyler returns to Albany when the campaign opens. Apropos : Betsey Schuyler is engaged to our friend, Colonel Hamilton. She

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\*From Mrs. Ellet's *Queen of Society*.

has been at Morristown, at Dr. Cochrane's, since last February. Morristown continues to be very lively. The fate of Charlestown still depending, and Mrs. P. is said to be making a match with her daughter and her husband's brother. She has absolutely refused to let her go to her relations, and to let her choose a guardian. Colonel Burr and she are not on speaking terms."

Mrs. Morris wrote from New Jersey to Mrs. John Jay, dated September 6th, 1780 :

"Yesterday we were informed from camp of the death of your cousin, William Alexander Livingston, who received his death from a Mr. Steaks, in a duel; also was buried at the same time, in like circumstances, a Mr. Peyton, from Virginia. You may judge how fashionable dueling is grown when we have had five in one week, and one of them so singular that I cannot forbear mentioning it. It happened between two Frenchmen, who were to stand at a certain distance and, marching up, were to fire when they pleased. One fired and missed, the other reserving his till he had placed his pistol on his antagonist's forehead, who had just time to say, *Ah Mon Dieu pardonnez moi?* at the same time bowing whilst the pistol went off, and did no other mischief than singing a few of his hairs."

In October, 1786, Miss Susan Livingston wrote from Rhinebeck to her sister, Mrs. John Jay. The latter part of her letter was as follows :

"I ought to conclude, and beware the third page, as they say a woman can't write more than two pages without scandal. You must be more or less than woman for you have written thirteen pages without scandal. Witness your letter that we call 'the confederacy.' We are in such high spirits about our public affairs that I must tell you a little about it." The letter then gives the account of a fine naval victory, and expresses hopes of soon hearing of Lord Cornwall's surrender.

A repartee, made by one of Lord Dorchester's aids to Miss Susan Livingston has been celebrated.



"When the British were evacuating New York she expressed a wish, to him, that their departure might be hastened, 'for among your incarcerated belles the scarlet fever must rage until you are gone.' Major Upham, the aid, replied that he feared 'if freed from the prevailing malady they would be tormented by a worse, the blue devils!'"

Catharine Livingston, Governor Livingston's second daughter, married Matthew Ridley, of Baltimore. He was at Nantes in 1778, in the American Commission business.

The following copy of an order sent to Nantes rather curiously shows the precariousness of transportation in those days. It is extracted from a Mss. letter of John Jay, dated Madrid, January 21st, 1782, which letter expresses a hope that one of the parcels may meet its destination :

"Be pleased to send for Miss Kitty W. Livingston, to the care of Hon. R. Morris, Esq., at Philadelphia, by the first three good vessels bound there, the three following parcels, viz :

"No. 1 to contain 2 white embroidered patterns for Shoes ; 4 pair of silk stockings ; a pattern for a Negligee of light colored silk, with a set of ribbons suitable to it ; 6 pair of kid gloves ; 6 yards of cat-gut, and capuire in proportion ; 6 yards of white silk gauze."

"No. 2 to contain the same as above, except that the silk for the Negligee must not be pink colored, but of any color that Mrs. Johnson may think fashionable and pretty. The shoes and ribbons may be adapted to it."

"No. 3 to contain the same as above, except that the silk for the Negligee must be of a different color from the other two, and the shoes and ribbons of a proper color to be worn with it."

Miss Kitty Livingston took a deep interest in public affairs. Her friend, Lady Catharine Alexander, writes from Valley Forge after the good and cheering news of the Alliance with France :



"We have nothing here but rejoicings; every one looks happy and seems proud of the share he has had in humbling the pride of Britain, and of establishing the name of America as a Nation."

She also received the following letter from General Washington, addressed to her from the same place :

"General Washington having been informed lately of the honor done him by Miss Kitty Livingston in wishing for a lock of his hair, takes the liberty of inclosing one, accompanied by his most respectful compliments.

"CAMP VALLEY FORGE, 18th March, 1778."

Susannah, the wife of Governor Livingston, was a woman of simple, unpretending manners, but endowed with a strong intellect and a warm and tender heart. The letters of her husband show his high respect as well as love for her. When the British troops made their memorable incursion into New Jersey, by Elizabethtown, the Governor being absent from his family, suffered intense anxiety on their account, but while the neighboring villages were seen in flames the enemy respected "Liberty Hall," and treated its inmates with courtesy. A correspondent of "Livingston's Gazette" accounts for this by saying that one of the British officers received a rose from Susan Livingston on his visit to the house as a memento of a promise of protection.

An anecdote connected with this invasion has been traditionally preserved, which, if proved authentic, would furnish curious evidence as to the agency concerned in the murder of Mrs. Caldwell.

After a day of alarm the flames of Springfield and Connecticut farms being in view, and soldiers continually passing the house, Mrs. Livingston and her daughters were at a late hour surprised by the entrance of several British officers who announced their intention of lodging there. Their presence was felt to be a protection and the ladies retired. About midnight the officers left the house, called away by some startling news, and not long afterwards a band of straggling soldiers, intoxicated, rushed with oaths

and threats into the hall. The maid servant, (as all the males of the establishment had taken refuge in the woods, early in the day, to avoid being made prisoners,) fastened herself in the kitchen, and the ladies crowding together like frightened deer locked themselves in another apartment. Their place of retreat was soon discovered by the ruffians, and afraid to exasperate them by refusing to come out, one of Governor Livingston's daughters opened the door ; a drunken soldier seized her arm ; she grasped the villain's collar, and at the very moment a flash of lightning illuminated the hall and, falling full upon her white dress, he staggered back, exclaiming with an oath, "Its Mrs. Caldwell that we killed to-day." One of the party was at length recognized and the house by his intervention finally cleared of the assailants.

The influence Mrs. Livingston had with her husband was very great, this influence was secured by her good sense, her sympathy and her unselfish tenderness. She shared his thoughts in time of war, and his joy when allowed to relinquish his wandering life and return to his home ; to enter once more his deserted library, and superintend his long neglected garden. In his simple and rural occupation she was his constant and faithful companion, and his letters evince the warm affection he cherished for her through years of absence and absorbing occupation. She died on the 17th of July, 1789. She had been an invalid for some time, and in 1786 went to Lebanon, N. Y., hoping to derive some benefit from its waters, which were even then crowded by believers in their virtue.

A few years before this, in 1786, Mr. Livingston wrote a letter to his wife from Trenton, in answer to one from her in which she had reproached him for not oftener writing. It shows with what tender solicitude he watched over her health, and how little the first warmth of his affection was abated by years of absence :

"TRENTON, 4th March, 1786.

"MY DEAR, DEAR SUSAN :—Considering that for near a fortnight after I arrived I was so indisposed as scarcely to be able to hold a

pen in my hand, and that notwithstanding my indisposition, I wrote you two letters before I received yours of the 27th of February, which came to my hands this day, and that during all that time I was every day anxious in inquiring after your health from everybody that came from our part of the country, you have greatly distressed me by ascribing my silence to my want of affection for you. If I was to live to the age of Methusalim I believe I should not forget a certain flower that I once saw in a certain garden, and however that flower may have since faded towards the evening of that day, I shall always remember how it bloomed in the morning, nor shall I ever love it less for that decay which the most beautiful and fragrant flowers are subject to in the course of nature.

“I repeat it, that I love you most affectionately, and when I return I will by my attentions and assiduities give you the greatest demonstrations possible of the sincerity of this, my declaration. After this I hope you will not so far forget your friend and lover as not to acquaint him, as often as you conveniently can, of the state of your health, which I still hope and pray may be perfectly restored.”

## CHAPTER XLV.

INCIDENTS AND ANECDOTES OF GOV. LIVINGSTON, CONTINUED.

In the year 1781, Governor Livingston wrote to his brother, Robert Livingston, as follows :

“TRENTON, 17th December, 1781.

“DEAR BROTHER :—I hear that your very numerous family is going to be increased by the addition of one of mine. I fear Susan will be troublesome to a house so overrun with company as yours. But my poor girls are so terrified at the frequent incursions of the refugees into Elizabethtown, that it is a kind of cruelty to insist on their keeping at home, especially as their mother chooses, rather to submit to her present solitary life than to expose them to such disagreeable apprehensions. But she herself will keep her ground to save the place from being ruined, and I must quit it to save my body from the Provost in New York, so that we are all scattered about the country. But by the blessing of God, and the instrumentality of General Washington and Robert Morris, I hope we shall drive the devils to old England before next June. The naval operations of the United Provinces, (by a letter lately received from a noble correspondent,) appear still greatly retarded by the faction of the Prince of Orange. If the patriotic party cannot

give his serene highness a Dutch for an English heart, I hope that rather than suffer themselves to be outwitted by him he may be De-witted by them.

"Cornwallis' party in New York is open-mouthed against Clinton, and throws all the blame of his lordship's capture on Sir Harry. The latter justifies himself by the impracticability of affording succour after the arrival of the French fleet. Whether either of them is to be blamed for this disaster I know not, but I know somebody on whom they may safely throw it, and who is very willing to bear it,—General Washington. I should be very sorry to have Clinton recalled through any national resentment against him, because as fertile as that country is in the production of blockheads I think they cannot easily send us a greater blunderbuss, unless peradventure it should please his Majesty himself to do us the honor of a visit.

I am, &c.,

"WILLIAM LIVINGSTON."

In another letter, dated 3d March, 1787, to a friend, Governor Livingston writes :

"My principal Secretary of State, who is one of my daughters, is gone to New York to shake her heels at the balls and assemblies of a metropolis, which might as well be more studious of paying its taxes than of instituting expensive diversions.

"I mention this absence of my Secretary to atone for the slovenly handwriting of this letter and of my enclosed certificate, because she is as celebrated for writing a good hand as her father is notorious for scribbling a bad one.

I am, &c.,

"WILLIAM LIVINGSTON."

Governor Livingston's handwriting, as he states in the above letter, was intolerably bad. His early letter books were written with a plain clerkly hand, but he degenerated by degrees so very much in this respect that General Washington often used to say that when he received a letter from Governor Livingston he called around him all his staff to assist him in deciphering it.



Governor Livingston was very fond of trying his hand at carpenter work; he had a lathe and a full set of joiners' tools, which supplied him in dull rainy weather with healthful exercise within doors, and he took much pride in the skill with which he could use the tools to make various useful and ornamental articles.

He said to his daughter one day: "Come with me, my dear, and see how many houses I own, or how rich I am in real estate." She followed, as he led the way into his office, study and workshop, and there found to her surprise the table entirely covered with a great quantity of wren houses of his own manufacture, and which he afterwards put up all around the house, over the piazzas, upon trees, &c., as trophies of his ingenuity. This, together with the cultivation of his garden, in which he worked much himself, and took great pride in raising the first and finest vegetables at that time known, as well as fishing, occupied pretty well all his leisure hours.

Had it not been for his domestic trouble, and his own increasing infirmities, the last years of his life would probably have been the most happy.

In writing to M. de Marbois, of Paris, under date of 26th September, 1783, he says:

"Thanks to Heaven that the times again permit me to pursue my favorite amusement of raising vegetables, which, with the additional pleasure resulting from my library, I really prefer to all the bustle and splendor of the world." \* \* \* \* \*

In speaking of his children he says: "I have had to the number of these United States;" which was at that time 13 States, now thirty-seven. Six of his children died during his life time.

Governor Livingston was in stature above the middle height, and so remarkably thin in early life as to receive from some female wits of New York, perhaps in allusion to his satirical disposition, the nickname of the "Whipping Post."

In later years he acquired a more dignified corpulency.

Speaking of himself, in the language of one of his opponents in the "American Whig" of 1768, he says: "The Whig is a long-nosed, long-chinned, ugly looking fellow."

Governor Livingston abounded with wit and fun, and had a playful temper with children, of whom he was extremely fond, and took great delight and interest in all their sports and amusements, making all their pleasures his own. In a letter written to his son-in-law, Mr. Ridley, the 10th of March, 1788, he writes what great pleasure a visit from his children and grand-children would give him: "Suppose in reality that you and ———, ———, ———, ———, ——— and Mr. and Mrs. Jay, and ———, should come to Liberty Hall next cherry time; why then; with my romping with some upon the piazza, and shooting robbins with others out of the mazzard trees, and talking and walking with the elder boys and girls, and their fathers and mothers around the table, I per-test, as some ladies say, that I would not exchange such a scene of happiness for any gratification of the Grand Seignoir."

Not often at the age of sixty-five years do we find the fresh, flexible sympathies with all the pastimes and amusements of childhood and youth.

Lossing, in his Field Book, states: "That William Livingston, afterward the Governor of New Jersey, seems to have been one of the most eminent writers against Episcopacy, and Dr. Chandler, and Samuel Seabury, (afterwards Bishop,) were among its chief supporters.

"An anonymous writer, whose alias was Timothy Tickle, Esq., wrote a series of powerful articles in favor of Episcopacy, in Hugh Gaines' "New York Mercury," in 1768, supposed by some to be Dr. Auchmuty, of Trinity Church.

"The Synod of Connecticut passed a vote of thanks to Livingston for his Essays, while in Gaines' paper. He was lampooned by a shrewd writer in a poem of nearly two hundred lines. Livingston wrote anonymously, and the poet thus refers to the author:

“Some think him Tindall, some think him Chubb,  
Some think him a Ranter that spouts from his tub,  
Some think him a Newton, some think him a Locke,  
Some think him a Stone, some think him a Stock,  
But a Stock he at least may thank Nature for giving,  
And if he's a Stone, I pronounce it a Living.”

“Episcopacy was introduced into America, took root and flourished, and when the revolution broke out, some seven or eight years afterwards, there were many of its adherents found on the side of liberty, though generally so intimate was its relations through the mother church, to the throne, its loyalty became a subject of reproach and suspicion, for the Episcopal clergy, as a body, were active or passive loyalists.”

Governor Livingston's grief on the loss of his wife was great, as it was a severe shock to him and to his children.

All the family letters show that his grief at this final separation from her who had shared in all the anxieties of a long and toilsome life, continued unabated, and that it accelerated the progress of his own disease. For the year following her death his spirits flagged, and a marked difference was perceptible in his temper. He appeared more chastened and subdued; what the changes of fifty years had not affected, heartfelt sorrow at one fell stroke accomplished, and he hardly on any subsequent occasion manifested that irritability of temper which was previously a part and parcel of his former self or character.

On the 12th day of June, 1790, after Governor Livingston had returned from Amboy to Elizabethtown, he complained of an oppression on his breast, which soon afterwards proved to be the dropsy, and was attended with a severe cough. Doctor Bard, of New York, was called in. Medical aid and medicine, however, only served to prolong his sufferings a few days.

His disorder, writes Sedgwick: “was of a peculiarly harassing character, but he bore it with a patience which the excitability of his temper would not have given reason to expect.

"That religion, which, when invoked truly, is never invoked in vain, sent down her messengers of peace to calm these trying moments.

"The following extracts from letters written about this time, with the greatest facilities of observation, will convey the best idea of the closing portion of his life. The more I reflect on the patience and fortitude with which he supported his last illness, the more I am astonished at it. He never uttered a complaining word; the most he ever said was: 'I can't hold it long, if I do not get relief.' I have often reflected on a line written in early life: 'For I who know to live, would never fear to die.'

"When they would tell him how much better he looked, 'a strange misunderstanding between the looks and feelings,' he would say: He often said, 'God's will be done,' and would tell me I had done all I could, I must leave the event to Providence. He supported his illness with uncommon patience and resignation.

"The last day of his life I asked him if he was in much pain: he answered 'no, none at all.' Whenever we asked how he felt, the answer was, 'weak, very weak.' The cough left him a considerable time before his death, after which he could lie in bed, and that was a great relief; before that period he sat night and day in an easy chair." This painful scene was at length closed, for on Sunday, the 25th day of July, 1790, this statesman, patriot and christian breathed his last. He was interred by the side of the remains of his wife, at Elizabethtown.

## CONCLUSION.

With this last sketch of Governor William Livingston we close the work. My task is done, and I now throw down my pen, with what success or failure it must be left for the reader to judge. It has been a work of pleasure, and has beguiled many an hour of two long and tedious winters.

Of the family circle and their connections, herein chronicled, we find distinguished men both in civil and military life. We read of the illustrious general, the statesman, the inventive genius, the jurist, the foreign diplomatist, the intellectual citizen, and the true faithful christian, all exemplified in both public and private every day life.

I have endeavored to make it a journal of facts, and by grouping facts, interspersed with anecdote and letter, to give an insight into the home, as well as public life of our ancestors; for a man cannot be great, in the true sense of the word, in public life, if he is not respected in his own home or neighborhood. Greatness has its birth in the heart and cultivates all christian virtues, and he who cannot control his own temper or passions cannot be called a great man, although he may be the conqueror of a kingdom. But we do not flatter the memories of the departed ones in this



biography, when we state that they were celebrated both in the public and private walks of life, and we can take them as examples for us to follow, both as public men and as christians.

The women of this distinguished family we must not pass by without a retrospective glance. We here find the patriotic mother, the brave daughter, the exemplary christian, and faithful wife. Most all were celebrated both for beauty and intellectual attainments, whom we may compare to "the polished corners of the temple."

Who can read the life of Janet Livingston Montgomery without shedding tears. We behold her giving up her handsome, noble young husband as a sacrifice upon the altar of her country, without a murmur, and letting "her soldier" go forth never to return. It is sad to consider that all those brave hearts have passed away, and like, Xerxes when he wept at the thought on beholding his immense army, that in a brief century they would all be gone; thus likewise we look back with sorrow that they are all numbered with the army of the dead. But although they have passed from earth, they have left us not only the records of their virtues and patriotism, but a country that they helped to free and sustain, and bequeathed to us as our inheritance.

When we look back with a just pride at the retrospect of their lives and public honors, and then consider the responsibility that rests upon us to care for and preserve this glorious inheritance, this temple of freedom; for their mantle, like that of the Prophet of old, has fallen upon our shoulders, and ungrateful indeed must he be who is unmindful of such a legacy. Their foot-prints the sands of time can never obliterate, but where are they now?—

"The infant a mother attended and loved;  
The mother that infant's affection who proved;  
The husband that mother and infant who blessed,  
Each, all are away to their dwellings of rest.

For we are the same our fathers have been ;  
We see the same sights our fathers have seen ;  
We drink the same stream, and view the same sun,  
And run the same course our fathers have run.

The thoughts we are thinking our fathers would think,  
From the death we are shrinking our fathers would shrink,  
To the life we are clinging they also would cling ;  
But it speeds for us all like a bird on the wing.

They loved, but the story we cannot unfold ;  
They scorned, but the heart of the haughty is cold ;  
They grieved, but no wail from their slumber will come ;  
They joyed, but the tongue of their gladness is dumb.

They died, aye ! they died, we things that are now,  
That walk on the turf that lies over their brow,  
And make in their dwellings a transient abode ;  
Meet the things that they met on their pilgrimage road.

'Tis the wink of an eye, 'tis the draught of a breath,  
From the blossom of health to the paleness of death,  
From the gilded saloon to the bier and the shroud,  
Oh ! why should the spirit of mortal be proud."

The Livingstons as a family have done well for their country,  
as the past records show. It is to be hoped the descendants of  
those noble old patriots will do as much, and let it still be proved  
in every generation, as has been said by a young poet of Columbia :

"How firm is the Arch of our Union,  
When built of the true LIVING-STONE."



## APPENDIX.

Petition to the King, written by Judge Robert R. Livingston, (see page 30,) adopted October 22d, 1765.

TO THE KING'S MOST EXCELLENT MAJESTY.

The petition of the Freeholders and other Inhabitants of the colonies of Massachusetts Bay, Rhode Island and Providence Plantations, New York, New Jersey, Pennsylvania, the government of the counties of New Castle, Kent and Sussex, upon Delaware, and province of Maryland,

MOST HUMBLY SHOWETH,

That the inhabitants of these colonies, unanimously devoted with the warmest sentiments of duty and affection to your sacred person and government, and inviolably attached to the present happy establishment of the Protestant succession in your illustrious house, and deeply sensible of your royal attention to their prosperity and happiness, humbly beg leave to approach the throne, by representing to your majesty, that these colonies were originally planted by subjects of the British crown, who, animated with the spirit of liberty, encouraged by your majesty's royal predecessors, and confiding in the public faith for the enjoyment of all the rights and liberties essential to freedom, emigrated from their native country to this continent, and, by their successful perseverance, in the midst of innumerable dangers and difficulties, together with a profusion of their blood and treasure, have happily added these vast and extensive dominions to the Empire of Great Britain.

That, for the enjoyment of these rights and liberties, several governments were early formed in the said colonies, with full power of legislation, agreeably to the principles of the English constitution;—that, under these governments, these liberties, thus vested in their ancestors, and transmitted to their posterity, have

been exercised and enjoyed, and by the inestimable blessings thereof, under the favor of Almighty God, the inhospitable deserts of America have been converted into flourishing countries; science, humanity, and the knowledge of divine truths diffused through remote regions of ignorance, infidelity, and barbarism; the number of British subjects wonderfully increased, and the wealth and power of Great Britain proportionably augmented.

That, by means of these settlements and the unparalleled success of your majesty's arms, a foundation is now laid for rendering the British empire the most extensive and powerful of any recorded in history; our connexion with this empire we esteem our greatest happiness and security, and humbly conceive it may now be so established by your royal wisdom, as to endure to the latest period of time; this, with the most humble submission to your majesty, we apprehend will be most effectually accomplished by fixing the pillars thereof on liberty and justice, and securing the inherent rights and liberties of your subjects here, upon the principles of the English constitution. To this constitution, these two principles are essential: the rights of your faithful subjects freely to grant to your majesty such aids as are required for the support of your government over them, and other public exigencies; and trials by their peers. By the one they are secured from unreasonable impositions, and by the other from the arbitrary decisions of the executive power. The continuation of these liberties to the inhabitants of America, we ardently implore, as absolutely necessary to unite the several parts of your wide-extended dominions, in that harmony so essential to the preservation and happiness of the whole. Protected in these liberties, the emoluments Great Britain receives from us, however great at present, are inconsiderable, compared with those she has the fairest prospect of acquiring. By this protection, she will for ever secure to herself the advantages of conveying to all Europe, the merchandize which America furnishes, and for supplying, through the same channel, whatsoever is wanted from thence. Here opens a boundless source of wealth and naval strength. Yet these immense advantages, by



the abridgment of those invaluable rights and liberties, by which our growth has been nourished, are in danger of being for ever lost, and our subordinate legislatures in effect rendered useless by the late acts of parliament imposing duties and taxes on these colonies, and extending the jurisdiction of the courts of admiralty here, beyond its ancient limits ; statutes by which your majesty's commons in Britain undertake absolutely to dispose of the property of their fellow-subjects in America without their consent, and for the enforcing whereof, they are subjected to the determination of a single judge, in a court unrestrained by the wise rulers of the common law, the birthright of Englishmen, and the safeguard of their persons and properties.

The invaluable rights of taxing ourselves and trial by our peers, of which we implore your majesty's protection, are not, we most humbly conceive, unconstitutional, but confirmed by the Great Charter of English liberties. On the first of these rights the honorable house of commons found their practice of originating money, a right enjoyed by the kingdom of Ireland, by the clergy of England, until relinquished by themselves ; a right, in fine, which all other your majesty's English subjects, both within and without the realm, have hitherto enjoyed.

With hearts, therefore, impressed with the most indelible characters of gratitude to your majesty, and to the memory of the kings of your illustrious house, whose reigns have been signally distinguished by their auspicious influence on the prosperity of the British dominions ; and convinced by the most affecting proofs of your majesty's paternal love to all your people, however distant, and your unceasing and benevolent desires to promote their happiness ; we most humbly beseech your majesty that you will be graciously pleased to take into your royal consideration the distresses of your faithful subjects on this continent, and to lay the same before your majesty's parliament, and to afford them such relief as, in your royal wisdom, their unhappy circumstances shall be judged to require. And your petitioners will pray, &c.











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